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CORRECTION AND PREVENTION

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PENAL
AND REFORMATORY
INSTITUTIONS

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CORRECTION AND PREVENTION
FOUR VOLUMES PREPARED FOR THE
EIGHTH INTERNATIONAL PRISON CONGRESS

NEW YORK
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INTRODUCTORY

IN this volume may be found an account by specialists of the institutions of correction through which the criminal law is enforced. The story is not boastful but critical; the weak places of our establishments are as faithfully disclosed as the high aims of the most enlightened administrators are set forth for appreciation. Of a national "system" of prisons nothing is said, for none exists. Most of the book is devoted to reformatories and prisons in the northern states of the Union; one paper is devoted to a description, explanation and criticism of the agencies of punishment of the southern states, and to an acccount of the worthy and hopeful efforts of wise citizens of those districts to correct abuses and improve methods. The warm climate of the South, the predominance of agriculture, and the presence of millions of negroes are facts which must be considered in forming a judgment about these methods. It is manifest that the fundamental and universal principles of correctional methods must there take a very different direction from that which is most reasonable in the North. Outdoor labor for convicts there finds a much wider scope than in a colder climate, with long winters and with a larger criminal population accustomed to urban industries.

In the paper of Mr. Pettigrove we may trace the evolution of the older prison system and the beginnings of the later reforms, together with the essential facts in regard to the present conditions, especially in the ordinary state prisons.

Mr. Scott and Mr. Leonard, typical men among our superintendents of reformatories, interpret the methods employed by them in carrying out the principles of our so-called "indeterminate" sentence, and in fitting younger male offenders for free and responsible citizenship. They write with recognized authority and their representations are faithful and intelligent.

Mrs. Barrows, on the basis of long studies and careful inspection of institutions, prepared the account of prisons and reformatories for women, where we are trying to embody the same essential ideas with devices specially adapted to women. She establishes beyond reasonable ground for cavil or doubt the ability of capable, educated

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and well-trained women not only to teach and influence the most hardened and dangerous characters, but also to hold the rebellious in order and to direct the financial and industrial business of institutions with success, and that without resort to violence or force. She seems to have shown that, with this class of women, weak, depraved, and irritable, the presence of men is a dangerous and disturbing element which should be eliminated as far as possible.

There are certain special problems of prison management and life which are treated in relation to American conditions: the medical service by Drs. Ransom and Lamb, who were selected for their special competence and ripe experience; prison journalism, by Mrs. Barrows, herself a journalist; and educational methods in our places of correction, by several contributors; and discipline by the honored veterans of our service, Messrs. Brockway and McClaughry. Mr. Batt, a highly respected representative of our chaplains, contributes an article on the spiritual aims of prison education, and the editor writes of the prison school.

CHARLES RICHMOND HENDERSON

CHICAGO, July 10, 1910

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I

THE POLICE SYSTEMS OF THE UNITED STATES

By RICHARD SYLVESTER
Washington, D. C.
President of the International Association of Chiefs of Police

CRIME is a transgression of rules made for the government of a community. The wrong-doing may be either intentional or accidental; in either case it is punishable by law. The offender is regarded as the general enemy of the public and warfare has been waged against him from the earliest times. The police is the agency organized by society for the detection and prevention of crime and for the protection of life and property.

There is no uniform police system for the whole country. Each community arranges for its own protection. In some localities, unfortunately, politics play an important part in the police organization and administration, at the cost of its efficiency. There is, however, a slowly growing tendency to free the police from such influences, There is also a desire on the part of progressive officials to achieve, through co-operation between cities, such a complete organization as will be in effect a general police system, even if it cannot be under the direction of a central body. This is at present impossible, however, because of the differences in methods of procedure in our municipalities. The police of the larger cities, and those of many of the smaller ones, are organized upon the lines of the metropolitan police of New York City. They are governed and their policies dictated by boards of police commissioners, or directors of public safety, who are appointed by the governors of the states in which the cities are situated; or they may be appointed by the mayors, in which case the mayors themselves usually are members ex officio of the board.

The immediate control of the police differs, however, in most of the important municipalities. New York City has now a single commissioner of police, who is not a member of the uniformed organization. He is appointed by the mayor and his tenure of office is not assured. He has, however, full authority to direct through deputy commissioners, who hold temporary civilian appointments, the work of several thousand policemen and detectives. Inspectors and captains of the uniformed force are accountable to these deputies for the conduct of the rank and file in the many districts included in Greater New York. Formerly this body was directed by a superintendent who was chosen from the members of the force and who was answerable to a board of police commissioners.

Under the present laws and regulations of New York, superior officers are held responsible for the proper discharge of the duties of their subordinates. They are subject to transfer and assignment as occasion requires. They are disciplined upon charges preferred, at hearings before one of the deputy commissioners. Errors of judgment in important cases may be determined by court proceedings under the law. There is a school of instruction for recruits, and examinations are held for appointment and promotion. Inspectors, captains and various supervisory officers above the rank of privates, are classified and compensated according to length of service. These men are assured employment during faithful performance of duty and are retired on pensions when injured in the line of their work, or in case of other disabilities, or after a certain length of service. Their widows and orphans are likewise provided for, this being regarded as an incentive to the proper discharge of duty.

The department has its detective bureau, to which skilled members of the force are detailed for duty; its traffic bureau to which a body of men thoroughly equipped is assigned. These latter are mounted upon selected horses owned by the city and are well drilled and trained in the handling of innumerable moving vehicles and the protecting of the thousands of pedestrians who throng the streets of the greatest American city, limited in area and dense in population. The department also includes the bureau of combustibles, the bureau of property, and a squad of chosen men mounted on motor-cycles to enforce the motor-vehicle regulations.

Chicago presents a jurisdiction differing somewhat from that of New York. The city extends over an area of 190.6 square miles. Its population of 2,166,055, like that of New York, is made up of many nationalities. The police force comprises men of all grades, and is under the command of a general superintendent,with inspectors, captains, and subordinates ranking similarly to those of New York. The detective bureau is conducted by a captain of police and the department has its vehicle, firearms, and other bureaus, analogous to those in the great eastern city. The general superintendent of police is subject to the authority of the mayor, by whom he is appointed and who defines the policy to be pursued in the administration of police affairs. It has been usual for a newly elected mayor to nominate a new head for the police service. The city has many outlying districts, each of which is under a subordinate of the general superintendent. The interests of a varied population and the needs of strangers coming in on the numerous railway lines, whose terminals are in Chicago, demand unusual attention from the police.

St. Louis has a police area of about sixty square miles and a population of 674,012. The police organization is responsible to a chief who is chosen by a board of police commissioners, selected by the governor of the state. The mayor is ex officio a member of this board, the majority of which are of the same political complexion as the state administration. The chief has an assistant who conducts the affairs of the department during the night, and the several police districts are commanded by captains. The detective bureau is presided over by a chief of detectives, who like the same officer in the cities already named, is subject to the chief of police, to whom he makes daily reports. Mounted men patrol the suburban districts. Motor-vehicles are employed in regulating automobiles and similar machines. The retirement of the police of this city on pension in case of disability is not as liberally provided for by law as in the other municipalities mentioned.

In Cincinnati, Ohio, the police organization is controlled by a board of non-partisan commissioners, named by the governor of the state. The city provides for retiring the members of its police force on pensions. The police establishments in other cities of Ohio are also under boards of directors. In most cases, as in Cincinnati, the mayor is the controlling member ex officio. The head of the uniformed men is called the chief of police. He has under him inspectors, captains, lieutenants and sergeants, and several hundred privates. While none of these cities have forces numerically as strong as those of New York, or equal appropriations, the same system of organization prevails. Social conditions differ in these cities; those of New York and Chicago in general resemble each other, while those of St. Louis and Cincinnati are alike in several respects.

The police force of Boston is under commissioners appointed by the governor of the state. The force has at its head a general superintendent, with a staff of subordinates commanding districts. An inspector is in charge of the detective bureau. The method of organization is similar in most of its details to those already described and the service seems to be efficient. While possessing an extensive ocean front and harbor, Boston has no such influx of foreigners as New York and does not require so strenuous an application of police power.

Philadelphia and Pittsburgh have superintendents of police who are selected by directors of public safety. These directors are in accord with the party in political ascendancy. There is an effort, however, in both of these cities, as in others where like methods are pursued, to separate the force from partisan control and thus to improve its efficiency.

Some cities with smaller populations have chiefs of police, and others, marshals at the head of their forces, usually selected by the mayors, subject to confirmation by the city councils. Some eastern cities are controlled by bodies composed of assemblymen and selectmen, who correspond to councilmen, upon whom rests the regulation of the police as well as other city departments, and to whom annual police reports are made. The local affairs of certain other cities are administered by commissioners instead of by mayors.

The District of Columbia, the seat of the general government, denies to its citizens the right of franchise and places all functions of management under three commissioners who are named by the President of the United States and confirmed by the Senate. One of these is an army officer detailed from the engineer corps; the other two are civilians of opposite political creeds. These commissioners form a municipal corporation. They levy and collect taxes and after congressional action, expend them in defraying half of the cost of the government of the District of Columbia. The other half is borne by the United States. To this board of commissioners all the municipal department heads are immediately subordinate,—including the police and fire department, the assessor, the collector of taxes, health officer, superintendents of sewers, streets and lighting, and the electrical engineer.

The director of the police force is a superintendent. Inspectors, captains, lieutenants and sergeants, his subordinate officers, supervise a body of patrolmen, a force mounted on horses and on bicycles. The District of Columbia is a police jurisdiction of nearly seventy miles, and includes the cities of Washington and Georgetown and eighty-odd villages and towns. It is divided into sub-police districts each made up of ten precincts, commanded by a captain. The police force is secured after rigid physical and mental examinations, and all members are employed for life, so long as they faithfully observe the laws and regulations prescribed for their government. They are retired on pensions for disease or injuries incurred in line of their duty.

There is one southern city which is governed by a board of trustees to whom the chief of police is answerable and who exercise full power in city affairs.

Nowhere in the United States is there a community of any importance in which the police are controlled by a permanently established authority. They are subject to a single commissioner appointed temporarily, or to a mayor chosen for a term of years, or to boards of commissioners appointed for the same periods for which governors of the states or mayors are elected; or they are controlled by directors of public safety, dependent on the turn of the political balance, on a commission selected for a few years, or on territorial commissions representing the President which may continue or not indefinitely, as the Executive may elect. Immediately under these individuals or governing bodies are the uniformed heads of police departments, some of whom through legislative enactment are continued in authority during faithful service, their subordinates being likewise retained. Other uniformed chiefs and assistants are removed or reduced in rank with the change of the party in power. Faithful service is rewarded by permanency of position. Secure tenure is the strongest incentive to intelligent and painstaking work, and, as a rule, the desire for it prevails throughout the whole force, from chief to patrolman.

In cities where changes of administration are anticipated there is more or less disorganization, the result of ambition for promotion through influence irrespective of professional efficiency. In recent years, however, a movement to secure a permanent police organization has received increasing support from the better classes of citizens who have extensive interests to protect.

Turning now from the review of general conditions to details and methods, the administration and organization of police forces in all cities and towns of importance are found to be much the same. In addition to the regular uniformed men some forces employ civilian assistants, comprising secretaries to the chiefs, clerks at headquarters and in station houses, electricians to operate police telephone systems, drivers of patrol wagons, and, in cities where the modern care of prisoners prevails, matrons who look after the welfare of women offenders.

In most cities the members of the police force are required to pay for their uniforms, caps and helmets, which are generally furnished under contracts by wholesale manufacturers; insignia, batons, revolvers, bicycles and horses for mounted service are provided by the municipalities. There are important deviations from these rules. For instance, in New York the cloth from which uniforms are made is measured off and sold to the men, who have it made into garments by their own tailors; and in the District of Columbia, the horses used by the mounted men are their own property.

The police departments in the large cities are generally installed in separate headquarters, or in the city hall, where the chief, his principal assistants and clerks are located. Some of these buildings include not only the central police office, but the detective bureau, sleeping quarters for the reserve forces, gymnasiums, prisoners' cells and matrons' rooms.

Districts, or precincts, if jurisdictions are so divided, have each a station house in which there are offices for those in command and cells for prisoners. If the department is fully equipped the station houses will contain dormitories, where the reserves may sleep, with necessary toilet arrangements and separate lockers for the clothing and equipment of members of the different commands. In addition there will be stables for housing the motor or horse patrol wagons, horses, rope, litters and lanterns to be used in emergencies. The more modern the establishment, the closer will be the means of telephone connection between headquarters and the several stations, and the more complete the system of fire alarm and emergency gongs.

Where completeness in details exists, the police signal system is maintained. This consists of a series of automatic machines, by means of which the policemen are enabled to turn in a call to headquarters by pulling a crank or hook, and thus announce that they are attentive to duty. These machines are enclosed in boxes as protection against the weather and miscreants who might disarrange them, and are usually stationed at different confines of a patrolman's beat. If he patrols his entire assignment he will turn in a call from each box. When the alarm is thus given an endless paper tape line registers at the station house the number of the box whence it comes. In addition to the automatic call the signal boxes contain a telephone receiver to enable the policeman on a beat to announce his name and send in any message that may be necessary. He may request that the patrol wagon be sent him for a prisoner, or in case of fire or other threatened emergency, may call for help. In many cities the telephone communication is so complete that the whole police force on duty, or on reserve, may readily be instructed regarding any matter of public or police importance.

Every member of the force has his specific duties defined in a manual of regulations. These are fixed by law and ordinance, and their violation is followed by the infliction of a penalty. The effectiveness of discipline naturally depends upon the manner of its enforcement. The prevailing custom is to formulate the charges under the section of the law or regulation that has been violated. Minor offenses are disposed of by the mayor, board of commissioners, or head of the department. Cases of greater magnitude are not infrequently brought before the courts. The penalties may be loss of pay, fines, reprimand, suspension from duty, removal, or, in extreme cases, even arrest, conviction and imprisonment. Very often reduction in rank or debarment from promotion is used as discipline. Generally the officer of the highest grade is regarded as finally responsible for the conduct of the force, but primarily the person guilty of dereliction or indiscretion is held to account. The ranking official must answer for the shortcomings of his subordinates.

Methods of appointment and promotion differ, and the qualifications demanded as to age, height, weight, and mental capacity are by no means uniform. In the larger cities the merit system of civil service rules has been in a measure adopted. The minimum weight of applicants must be five feet eight inches. After passing a physical test they are passed on to a civil service board which requires a test,—as to ability to add, subtract, multiply and divide figures, write correctly simple forms of English, and spell without errors. This test is made in order to ascertain if the prospective policeman is capable of writing an ordinary report. In addition, the applicant is examined as to his knowledge of streets and important locations. This done, a rating is given and a list of successful candidates is prepared from which to draw in completing a police force. Eligibility, however, is not complete until the character of the applicant is established. When a police force is under political influences members are usually selected from among party favorites. In the District of Columbia the civil service examinations are conducted by the United States civil service examiner. In the smaller cities and towns, especially in the southern states, policemen are selected without regard to legal requirement, politics determining preferment. In some forces an appointee undergoes a probation term, but in most, his appointment takes effect at once.

While the uniforms of the police in different cities are not identical, there is a prevailing similarity in appearance. Single-breasted frock coats are worn for winter in northern latitudes, and overcoat of heavy beaver, with single and double rows of brass buttons according to rank; in milder climates, and in the north in summer, blouses, or sack coats, fastened by a single row of brass buttons down the front. Flannel is the material for general wear for the men in the summer, and serge for officers; broadcloth and doeskin are the materials used for winter. Superiors everywhere wear caps, the smarter style having the military vizor. Subordinates wear black or blue helmets in cold weather and light grey helmets in summer. In extremely cold latitudes heavy cloth caps with ear coverings are used by all members of the force. Belts are used where the overcoat and frock coat are the uniform, with frogs for batons. Revolvers are generally carried concealed.

The badge or insignia of office, everywhere made of German silver, represents the state or municipal coat of arms, and contains the officer's serial number. A duplicate of this badge is attached to the front plate of the cap or helmet. Uniform white collars, showing half an inch above the coat, and white lisle gloves for dress occasions, complete the prevailing uniform.

Every city, small or large, has a detective force of two, six, ten, twenty, or even a hundred men, selected for their skill and usually under the direction of an able member of the force who acts as chief. They report for duty at regular hours, and in cities of the larger class have cases of murder, assault, burglary, robbery and petty theft assigned to them. There are times, when the press and heads of departments are urging prompt action, when a whole detective force is compelled to drop all other pursuits to join in clearing up a single mystery. Each detective keeps a memorandum of his movements and makes a daily report to his immediate superior, who in turn reports to the superintendent, or chief of police. Complaints and losses are reported to the detective bureau and entered, with all known facts, upon the records. If the matter is cleared, a statement to that effect is entered opposite, to the credit of the service.

Stolen and recovered property is held by the police until after the hearing in court, when it is returned, by order of the court, to the owner and receipt taken therefor; but all property recovered either by the detectives or uniformed police is deposited under certificate with the custodian of property for registration and delivery according to law. This office is usually under bonds.

In all well-regulated detective offices a complete record by number and make is kept of all watches reported missing and compared with the numbers and makes of those found pawned, sold or stolen. Requests from all parts of the world inquiring for persons and property are indexed for ready reference. The records of all arrested persons are filed for quick consultation under the card catalogue system and the finger prints, photographs and Bertillon measurements of apprehended criminals are carefully indexed and preserved under the care of an expert. Private switchboards make communication expeditious and confidential between detective bureau, pawnshops, banks and the various station houses.

When the police force is large it is divided into sections, the better to protect the varied interests of the population. These several divisions are each under commanders and assistants. A city will be divided into one, two, three, four, or fifty such sections or police precincts according to its area and population, and each will have its captain or lieutenant, sergeants, and privates, who will be held accountable for peace and order. In the largest cities two or more police precincts are included in a district in charge of one inspector to whom the precinct commander reports. In smaller cities there may be but one or two precincts, in which case the captain, lieutenant or sergeant in charge is directly under the chief. In towns with but a single station house, or lock-up, the chief of police may have an office in the building, and but two or three policemen to assist him.

If the city is divided into police precincts the captain of each divides the force into sections, or if the number of privates is sufficient, into platoons. The two platoon, three platoon, or four platoon system is used according to the number of hours of duty required. The two platoon system means that two divisions will cover the work in twelve-hour watches, or reliefs, with an hour off for each meal, which reduces the actual working time to nine hours. A temporary and greatly lessened force or dog watch is on the streets during meal hours. The three platoon system means an eight-hour duty, with dog watch about the breakfast hour. Some forces maintain a reserve at the station for emergency calls, for fires, riots, and like contingencies.

The four platoon requires one-fourth of the command to begin work at 8 a. m. and continue till 4 p. m., when another fourth goes on duty for eight hours. At the end of this time the third fourth succeeds to duty for a like number of hours. The fourth platoon would then begin work at 7 p. m. and continue till 3 a. m. This last division is known as the "shifting platoon," which means that if conditions should necessitate the doubling of the force for eight hours after 4 p. m. this platoon would go on at that hour. If needed at 4 a. m. it would go on at 9 o'clock p. m. and come off at 5 a. m., or it would go on at any hour necessary to secure a doubling of the force on duty for an eight-hour period.

In some cities, following the three or four platoon system, half a platoon is held in the station house immediately after coming off active duty for four or six hours, to act as a reserve in case of fires, riots and emergency calls. The platoons everywhere alternate as to hours, changing the period of duty generally at the beginning of each week.

In the performance of patrol duty a policeman is required to make note of and report everything which might contribute to the injury, ill-health, or discomfort of the citizen, including broken pavements, dangerous excavations, obstructed sewers and similar conditions. He may not arrest without a duly prepared warrant stating the offense, unless he himself has observed its committal; except that when crimes of greater magnitude are charged, he may pursue and arrest upon reasonable grounds of belief that the person taken is responsible or has knowledge of the crime.

When such arrests are made the difficult part of the officer's task is to procure the necessary evidence or testimony to show that the arrest was justifiable. When a murder has been committed, if it is evident from the first investigation made by the uniformed force that more than ordinary effort will be required to clear the case, detectives are called in promptly, and if the perpetrator has escaped, a general alarm, with all known facts, is transmitted by telephone and written verification is sent to all the members of the force. If the one charged with crime has evidently escaped beyond the jurisdiction in which the offense was committed, messages by telegraph and telephone are dispatched without delay to all cities and towns of importance along railroad lines and a general alarm circulated through the public press. If the criminal is known to the police it is quite certain that his photograph, measurements, or finger prints will be found in the identification bureau. In such case copies of these will be sent out in printed circulars by the thousands, to reach every post office.

When the accused is apprehended in a jurisdiction or city other than that in which the offense was committed, an officer must go from the place of committal to the point where the prisoner may be held, having in his possession a duly issued process in the form of warrant or indictment, and if the prisoner is outside of the state, a requisition from the governor of one commonwealth to the other. Delays in procuring these papers not infrequently result in prisoners being released through habeas corpus proceedings. In several of the states there is no law under which fugitives can be detained while awaiting extradition. This at times allows dangerous criminals to elude arrest and trial.

In cities having the patrol signal and wagon system, persons arrested by the police are held at the most convenient box until the patrol wagon, in response to the call, reaches that place. The prisoner is then turned over to the policeman in command of the wagon with a statement of the offense with which he is to be charged. At the station the name, color, age, and other data are recorded, together with the offense charged, the name of the complainant and the policeman making the arrest. If it is a criminal case of some importance, a real estate bond for appearance in court on a day to be set must be given. If it is a case of minor importance, collateral to cover the amount of probable fine is required. When such cannot be furnished or if the offense is not bailable, the prisoner is searched and locked in a cell till the case is called in court.

The authorities in all cities advocate humane methods in the care and treatment of prisoners, and in the main kindness is the rule. There are many and notable exceptions, however, in some of the largest cities, where hardened and dangerous criminals must be handled with severity; and in the south the dangerous and brutal element expect only harsh treatment by the authorities.

In most cities the police are active in discouraging youthful depravity and co-operate with the juvenile court judges, the probation officers, the pardon boards and school officials in their efforts to save the boy who has committed his first offense from becoming a criminal.

Within the past sixteen years a society known as the International Association of Chiefs of Police has grown up. Until 1901 it was a national association, but in that year, through the efforts of the presiding officer, was made international. Its members include the heads of the police force of 225 cities of the United States, and the chiefs of the leading cities of Canada and other American countries. It also includes the Pinkertons and others engaged in the prevention and detection of crime. Closer official and personal relationship among police commanders in the United States and other countries, unity of action, the elevation of standards, the elimination of politics from police affairs, the securing of permanent tenure of office for policemen, the employment of honorable men and means, the establishment of pensions, the adoption of humane methods in the enforcement of law, and the advancement in the prevention and detection of crime, are the objects of the association. At its annual convention papers and addresses on police duties are furnished by members and afford ground for discussion.

This association has brought about as nearly a general police system as can at present be established in this country. It promotes uniformity in methods, attire, keeping of records, equipment and facilities, and has induced a friendly rivalry in the introduction of new and progressive features in police affairs.

Police commissioners and mayors attend the conventions of this association and are thus able to get the latest ideas concerning police organization and conduct. The adoption of the metric and finger print methods of identifying criminals, the extension of the signal system, the installation of modern cells in station houses, the maintenance of houses of detention for women and children, the rescuing of first offenders, the introduction of schools of instruction, the placing of libraries and gymnasiums in station houses, are some of the improvements secured by these annual conventions.

Under the direction of a board of governors nominated by the association a national Bureau of Criminal Identification is conducted in Washington, D. C. It is sustained by membership subscriptions from the chiefs of police of seventy of the leading cities and employs a criminologist and clerical assistance. To this bureau all the sustaining police officials send Bertillon measurements, photographs and information concerning criminals who may be apprehended in their respective cities. It has proved of great value, not only from a scientific and social standpoint, but from a commercial point of view. In certain cases in which persons have been arrested, for issuing worthless checks, for forgery, for making false pretenses, or acting under assumed names and their measurements sent to the national bureau, they have been identified as professional criminals. By these means the courts learn the records of prisoners who may be up for trial. With undisputed photographic and other evidence of their identity, and with entries of previous arrests, the character of the accused may be more easily comprehended. Banking and mercantile houses are by the same methods often warned against impostors. The Congress of the United States, through the judiciary committee of the House of Representatives, has favorably reported on the wisdom of making this bureau a government institution and at this writing the prospect of such action is promising.

Under the laws of the state of New York provision is made for the taking of photographs, measurements and finger prints of persons committed to the several penal institutions of the state, and for the classification and concentration of the data in the general office of the superintendent of prisons. The contributions to this bureau have been extensive and the thorough methods of classification employed place it in the front rank of this kind of work in the country. It is not, however, national in scope, though it gives to the state of New York the most complete record concerning criminals known to the authorities of any commonwealth in the country.

Still another bureau, under the direction of the warden, is maintained in the federal prison at Leavenworth, Kansas. The photographs and Bertillon measurements of the prisoners held in any of the federal prisons are sent to this bureau, where they are indexed and filed for ready reference. They have proved of unquestioned value.

The adjutant-general of the United States army requires the finger prints of all recruits on entering the service, first as an absolute means of identifying the dead or wounded in time of war; second, as a restraint to desertion; and third, to aid in apprehending deserters. To more closely unite the two systems, the adjutant-general was invited by the president of the International Police Association to accept membership in that organization, thus enabling the civil police authorities to have prompt information from the military when desertions occur.

The president of the association aims to have the heads of the police of all countries contribute to the bureau in Washington, photographs, measurements, finger prints, and such information concerning offenders against society and the state as will make it possible to weave a complete and lasting web about them.

The system of criminal measurements introduced in 1882 by the distinguished French anthropologist, Dr. Alphonse Bertillon, need not be described here in detail, as it is known throughout the world. It was introduced into this country in 1887, by Major R. W. McClaughry, when he was warden of the Illinois penitentiary. The method is now in vogue in many states and in all the federal penitentiaries. All police departments would adopt it if the municipalities and towns could be induced to defray the expenses incident to its establishment, and this is only a question of time.

About sixteen cities employ the finger print system of identification. While of great value, its worth, like that of the Bertillon system, depends upon its being used throughout the whole country; and upon the accuracy of the methods of application. Printers' ink is carefully spread upon a glass or copper plate, by the use of an ordinary printers' roller. The police officer requires his subject to dip the end of his thumb and fingers in it and then to press them on a plain strip of white paper. Thus either a plain or a rolled impression is taken. By using a pointer and magnifying glass the types of fingers are picked out, counted and recorded under symbols and abbreviations, by which they are classified, and filed away for consultation and comparison, as are the Bertillon cards of measurement. The accuracy of the method is beyond dispute and its cheapness makes it an excellent way of verifying the Bertillon measurements. At least ten cities are using it for this purpose. The Bertillon and finger print systems will be of inestimable value when every city, town, village and penal institution employs them.

II

JAILS, WORKHOUSES AND POLICE STATION HOUSES

By WARREN F. SPALDING

Secretary Massachusetts Prison Association

JAILS

THE jail is a necessary evil. If the question of guilt and penalty is to be determined deliberately and judicially, instead of summarily by those who unlawfully undertake to punish, and if it is to be certain that persons charged with crime shall appear for trial, there must be jails in which some who are accused can be held for trial. Jails are, at once, for the interest of the state and for the protection of the accused.

As the county usually is the judicial unit, in most states it maintains the jails, small in rural districts, large in cities. And as the sheriff is the executive officer of the court, the jail is usually in his charge. A few have a workhouse or house of correction attached for sentenced prisoners. The small jail affects but few persons, but the freedom of intercourse between its inmates makes it more harmful, in some cases, than the larger ones, in which discipline is more strict. Primarily, the jail was for the custody of untried prisoners, but in many counties it has been made a place of punishment, also, in the interest of economy. Most jails are so constructed that it is impossible to prevent the association of their inmates. This closeness of contact has a corrupting influence; jail friendships have made many a novice a lifelong criminal.

Serious questions are connected with the care of female prisoners in the smaller institutions. Usually they are in the custody of men, as they should not be. Many jails are so constructed that privacy for them is impossible. The danger of contamination among women prisoners is even greater than it is among men. Occasionally a decent woman is arrested, but ordinarily there is no attempt to keep her apart from the degraded of her own sex. Comparatively few women have committed serious offenses, and it is possible, in most cases, to secure their attendance for trial without committing them to jail. When this cannot be done, a matron's care and protection are even more important in the jail than they are in the police station.

A few states have not yet changed their methods of dealing with juvenile offenders and still imprison them with adults. This is not a jail problem; it is a judicial question. The juvenile offender should be dealt with as a "delinquent," and the proceedings should not be criminal proceedings. Occasionally imprisonment in jail is necessary, but it should be only where there is no alternative, and a child in jail should be absolutely separated from adults.

Jail construction with regard for physical conditions has received little attention, though experts in prison matters have been making criticisms for a generation. There can never be a proper administration of jails until the standard of jail construction is raised. Seclusion of untried prisoners should be imperative and the construction should make it difficult to form new acquaintances or to perpetuate old ones. But we continue to build jails of the old form, though the separate system is easier of administration and better for both officers and inmates.

One of the most serious physical defects is the lack of proper ventilation. In many cases the keeper is not aware of it. He will show the visitor that every cell has a separate ventilating flue, but a test often shows there is no movement of air in the ducts and no provision is made to force air by fans. Deficiency in heating capacity may lead the administration to keep the windows closed, heating air which is charged with impurities and unfit for breathing. Only a scientific test can reveal the quality of the air, and such tests are rarely made.

A large proportion of jail inmates are diseased, or are recovering from debauches which make the exhalations from their lungs and bodies injurious, and their bodies and clothing are filthy; hence, constant exchange of fresh air for vitiated air is of the greatest importance. If a prisoner is to remain in jail more than a few hours, a full bath should be compulsory; clean underclothing should take the place of that in which most men enter, and the clothes which are taken off should be washed and treated for vermin before the prisoner returns to the community. This is in the interest of other inmates, of the institution itself and of the people with whom the ex-prisoner will come in contact. In some jails there are no facilities for bathing; in others the bath tub still retains its place, and too little care is taken to see that it is thoroughly cleansed after an inmate has left it and before another enters. There is also too little supervision of bathing; many of the jail prisoners are not accustomed to bathe (some look upon it almost as an added punishment), and only the most careful oversight can make the bathing process as helpful as it should be. Many jail inmates are suffering from contagious or infectious diseases, and failure to provide separate bathing facilities for them is a great wrong.

The ordinary jail can be kept in sanitary condition only by unremitting vigilance. It is specially difficult to keep old jail buildings clean. The walls are rough, and hiding places for vermin are innumerable. Whitewash has its value, as a cleanser, but when one coat is put on over another it frequently adds to the difficulty by scaling. It is possible to so finish brick walls that they will be absolutely smooth, and if properly painted and frequently washed, they can be kept perfectly clean. Floors of concrete, pitching well toward the corridor, facilitate washing. In the interest of cleanliness, cots should never be stationary.

The sewerage question is vitally connected with that of ventilation. In the older jails the bucket must in many cases keep its place, though it is a prolific source of unsanitary conditions and the emptying of buckets within the walls is dangerous. In modern jails water closets have been supplied, but these have introduced a new peril to health, when the appliances are neglected.

Overcrowding necessitates the placing of two or more prisoners in a cell, which is injurious to health as well as to morals. No jail cell can have air enough for two persons, and it is difficult to so select cellmates that neither will be injured.

The monotony of jail life is very injurious. The untried prisoner cannot be compelled to work. Prisoners need bodily exercise in the interest of health and sanity, and if they are not to be allowed to associate in the corridors, the limitations are very narrow. If the jail is properly constructed there can be reasonable walks without danger of moral injury. It is possible, too, to make work for some; but if it is clear to the prisoner that it is useless, he loses his self respect. A few men have skill enough to work in their cells, but ordinarily such work cannot be supplied.

Reading does not take the place of bodily exercise, but mental occupation is of great value. Many jails have no libraries or have collections of small value. Too frequently the prisoners are compelled to depend upon charity for their reading matter, but many of those who are glad to contribute have little idea what literature is needed. The county should feel as much obligation to provide for the minds of these men as it does to provide for their bodies. The needed books, magazines and papers should be provided at the public expense, and not by charity.

As a rule, food is sufficient in quantity. In some jails it is fairly well cooked and served, but in many the material is poor, the preparation and service such as to make the meals unpalatable. In the large jails, where the food is cooked in large quantities, it is likely to be better than in the smaller ones. But institution diet is not merely a matter of good marketing and good cooking. The food of a hearty man, living without exercise, should differ from that of the laborer. Many prisoners are far below normal in health, and are lacking in vitality; they need rebuilding on a diet suited to their special wants. It is not a question for jailers, or for county commissioners. Few prison physicians are fully competent to deal with it. There are persons who are expert in the arrangement of dietaries; who know food values and the proportions which are needed. It is important that prisoners leave their confinement in the best physical condition. Not infrequently their crimes are due to the fact that they have not been properly nourished, and they are less likely to relapse into crime if they are properly fed.

But when all that can be done has been done to improve the jail, it will yet be true that more effort should be made to keep men out of its unnatural life. Untried prisoners are in jail (except in capital cases) because of inability to furnish bail. The constitutional provision that "excessive bail shall not be required" is a direction but not a standard. There is no standard; the matter must be left to the discretion of the court. What is "excessive" is relative, depending not upon the offense so much as upon the financial condition of the accused and that of his friends. The object of the court is to secure his presence at the trial. In a great number of cases men of whose appearance there is not the slightest doubt,—who have homes and other ties which are a guaranty,—are sent to jail because they do not have friends who will qualify as sureties. Most of these are petty offenders. The state would do well to carefully investigate all bound-over cases, to ascertain whether there is probability of default, and if there is not, allow some court officer (a probation officer if there is one) to become surety, with nominal responsibility but with power of surrender in case of default or of fear of default.

In many states, in the rural counties, criminal terms are infrequent, and men lie in jail for months awaiting trial. Sometimes they are acquitted, and have no remedy for the wrong done them. More often they are convicted, and in theory the time already spent in jail is deducted from the term of sentence. But even if this be true, the evil effect of jail imprisonment, with its idleness, has been very serious. Criminal terms of court should be made far more frequent.

It frequently happens that a man is sent to jail to await the action of the grand jury, merely because the offense was technically a felony, and not within the jurisdiction of the lower court. Yet when the case is reached and conviction is had, the sentence is a trifling one, such as would be given for a misdemeanor. A revision of criminal codes which would establish substantially the same line of separation between felonies and misdemeanors which the courts fix in their sentences, would save many men from being sent to jail to await trial.

The number of jail inmates is increased by the fee system, especially in the rural counties. The committing officer ordinarily has such a relation to the work of the court that he has more or less influence in the decision as to the commitment. Many a man has been arrested, and many an arrested man has been committed to jail, because his commitment yielded a fee, when some other disposition of the case would have been made if the committing officer had been salaried. The custom of paying jailers by fees and of allowing them a per diem for support of prisoners still prevails in some jails, and is a fruitful source of evil. Few men can be unbiased when called to decide between their own interests and those of prisoners. The fee system in all forms is pernicious.

The great change needed for the improvement of the jail is to put it under state supervision and control, if not under state ownership. State ownership and administration are consistent with the movements of the age. There was a time when crime was local; most of the crime of a county was committed by its residents. With new methods of transportation county lines practically have ceased to exist, and the criminal is almost as likely to be a non-resident as a resident. Moreover, crime is against the state, not against a county. It is charged as "against the peace of the commonwealth." The apprehension of the offender may well be left to the town or city where the crime is committed, which has a special interest in it, but the state should control all the processes relating to his punishment. The results in European countries show the great advantages of state ownership over county ownership. The principal opposition to state control comes from county officials, who have an interest in perpetuating the existing system.

If the change to state ownership of jails be too radical, state supervision and control are certainly reasonable. The state has a deep interest in jail administration, for the jail is a crime-breeder. State supervision and control would secure a uniform treatment of prisoners. It should be broad enough to secure the character classification of prisons and of prisoners; it would promote the public health by compelling scientific adjustment of dietaries, and the adoption of sanitary measures which would protect or improve the health of the prisoner; it would establish a higher standard of jail administration, based upon a recognition of the fact that when the state takes away the liberty of a citizen it is under obligation to make him better, morally and physically, and not worse.

WORKHOUSES

The American workhouse is a nondescript institution. If classified on the basis of the construction of its buildings, it is a prison; if the inmates are considered, it is related to the pauper institutions, for a large percentage of them are dependents; if the mental and physical condition of its inmates is considered, the workhouse belongs partly among the institutions for defectives who need restraint and hospital treatment. For dealing properly with its inmates on the basis of their character, it should be a reformatory. The inmates come through the courts, but though their acts, technically, are crimes, in most cases they are committed for being what they are (drunkards, vagrants, idle and disorderly, tramps, etc.), rather than for criminal deeds.

Sometimes, as in Massachusetts, it is a state institution; sometimes it is maintained and administered by a county, or by a city or town. In some cases it is annexed to a jail, leaving the latter wholly for untried prisoners; in others it is a separate institution. Sometimes it is called a "house of correction," though that title represents its alleged purpose rather than what it accomplishes. There are a few "city jails," so called, which are practically workhouses, for sentenced prisoners only. Sometimes the workhouse is called the "city prison," though some cities use that term to describe the house of detention in which arrested persons are held before examination. Again, the equivalent of the workhouse may be the "lock-up." Whatever name it bears, its uses, practically, are the same,—to care for that great host of men and women who have been convicted of offenses against public order and decency, together with a considerable number of petty offenders against the person and against property, and in some states a few for more serious crimes. Where no workhouse exists, the county jail serves a similar purpose.

The workhouse can be better understood by considering the whole number of persons passing through it in a year, than by the number remaining at any one time. The number committed on term sentences to the 71 municipal prisons and workhouses in 1904, the latest statistical date, was 11,342 (besides a multitude of admissions on account of fines). The number remaining, June 30 of that year, was 2,675. As has been said, where workhouses do not exist, the county jails care for the same class of prisoners. The measure of punished misdemeanancy is found by adding together the sentenced prisoners in municipal prisons and those in county jails. The number committed to municipal and county prisons on term sentences in 1904 was 111,885, and the number held on June 30, 1904, was 21,219. The average period of detention was about two months.

The interest of the public in the workhouse (and in the jails which receive sentenced prisoners) lies in the fact that their inmates constitute an endless procession, of enormous proportions, going into and coming out of them. If they were to remain in prison their treatment would be a matter personal to them, but they are coming out (more than 100,000 a year), and the community has a vital interest in what happens to them in prison.

The population of the workhouse consists largely of "have-beens." Many of them were once good citizens. Many others were once among the worst of the bad ones; not only persons degraded by vice, but very often dangerous criminals, who have become too old or too dull to live by crime, and now belong to the vagrant class. The population of these institutions includes a small proportion (about 10 per cent) of women. Nearly one-fourth of all prisoners of this class were less than 25 years of age (so largely is immaturity a cause of crime), and about 38 per cent were under 30. Many are unfit for productive labor, and work is inadequately supplied.

As a rule the buildings are open to the criticisms made of the physical conditions of the jails. They are seriously defective in ventilation. This is due in part to the form of construction. As workhouse prisoners are sentenced, and can be taken from their cells, there is no excuse for not flushing out the corridors with fresh air.

The principal criticism of the workhouse must be of its system. If properly used, it might be of great value, but as it is, it does more harm than good. The records of every workhouse show that fully one-half of those committed have served previous sentences in the same institution, many of them twenty, fifty, a hundred. There is absolutely nothing in the average workhouse which has as its purpose the reformation of its inmates. The promiscuous association of all classes of prisoners tends to make them worse. The moral atmosphere should be penitential; frequently it is pestilential.

The most conspicuous unfairness of this system is found in the imprisonment of men for the non-payment of fines. In imposing a fine, instead of a term sentence, the court says that the offender ought not to be sent to prison. But in spite of that, he is committed, not because the court thought that a proper punishment, but because he is too poor to pay his debt to the state at a moment's notice. The private citizen can no longer collect his debts by imprisoning his debtor, but the state does it, compels him to associate with the worst of men, and turns him out with the stigma of "jail-bird." If imprisonment were necessary it might be condoned, but it has been proved that by putting a man on probation, giving him time to earn and pay his fine, the court gets far more money than the prison collects. The public now pays for his commitment; supports the prisoner for a time, and does not get the fine. The prisoner is also prevented from working and supporting his family. The system discriminates between the well-to-do and the poor. The former escapes imprisonment by the payment of a few dollars; the latter is punished for being poor.

The workhouse has failed conspicuously in dealing with drunkenness and vagrancy. The tramp is taken out of the community for a short time, but nothing is done to eradicate the disposition to live by his wits. At the end of a definite period, fixed beforehand, he returns to the world, unchanged, often without a penny, or a home, or work, to resume his old life. For other misdemeanants the workhouse is simply a place of temporary detention.

The present system can be improved by a probation system which will provide for all who can be restored without imprisonment. Custodial supervision secures better results than the workhouse. For those who must be imprisoned, we need the indeterminate sentence. Why should the offender be discharged regardless of his character? Why should he serve ten sentences of one month each in a year, instead of one sentence of ten months? Many of these men (and women) will never be fit for self-support. Many are mentally defective. Why should they be at large? Why should they be released without homes, without work, and without oversight? It will cost money to fit them to earn a living, to find work for them, and to supervise them, but these things add little to the total crime bill. When we are spending so much, with almost no good result, why not add a little more, and get better returns for the money spent?

The workhouse should be upon a farm. Most of the inmates are unskilled, but waste land can be reclaimed by them. It is not necessary to follow county lines. Districts, composed of several counties, can be arranged to great advantage. If the expense can be borne by the state, so much the better. The system should be reformatory; saving men is saving money.

The man who enters the workhouse should be made to feel that he is expected to abandon his old life, and to enter a new one. A prisoner adopts the institution estimate of himself. If he is treated as an incorrigible, he considers himself one. If he is made to feel that he is thought to be reformable, he accepts that estimate, and if the system aims at reformation, he is likely to respond. Whatever arouses and stimulates his self-respect should be used,—schools, good literature, industrial training, etc. His keepers should be men who will inspire his respect. He should be released only when fit; he should be placed in the community, and aided to get upon his feet. And he should be supervised until restoration seems complete. Changes along these lines will transform the workhouse from a temporary halting place between two crimes to a place of permanent improvement and restoration.

POLICE STATION HOUSES

The initial process, in dealing with crime, is the arrest of the supposed offender. The power to arrest involves great responsibilities. The policeman should be a man of good judgment; he guards the interests of the public and the fate of many individuals is vested in him. Many innocent persons are arrested. The station house receives persons of both sexes; of all ages; of every grade of offending. It is a place for the temporary detention of persons who are treated as guilty, though legally presumed to be innocent. It should be so constructed as to accomplish its purpose without injuring its occupant. Few station houses conform to this standard. In most of the larger towns the main thought is of the protection of the community, and the principal demand is for security. Quite generally the stations are so crowded and unsanitary as to endanger the health of prisoners, police, witnesses and judges.

In many station houses the cells are in the basements, which are never fit for the use of human beings, and the cells are without pure air and direct sunlight. Most of them are so constructed that no air enters except by the grated door. The surface of the brick cells is usually rough, unclean, and not vermin proof. Some have water closets, always uncleanly when neglected; and when buckets are in use too little care is taken to keep them thoroughly clean.

In many of the crowded station houses little care is taken to classify prisoners. Decent men are made cell-mates with the vilest; men who are cleanly in person and in clothing are put with the filthy and verminous. Drinking cups and food dishes, used indiscriminately by all sorts of prisoners, are rarely if ever sterilized. All these things are specially dangerous, because many of the prisoners are diseased in various ways, and many others are so lacking in vitality as to be an easy prey to contagious and infectious diseases.

Most cities have health laws and regulations. They insist that tenement houses shall not be overcrowded; shall have large open areas for light and air, and shall be properly ventilated. They take care to separate the diseased from the healthy, and even protect the pedestrian upon the streets from the dangers of tuberculous sputum. They regulate public lodging houses, in the interest of public health and morals. But they maintain, as the only places of confinement for prisoners, quarters which violate every one of their own health laws and regulations.

It is not easy to improve existing station houses, but the methods of using them might be greatly bettered, in the interest of the public health. Station houses should be subject to official inspection. The judges should be required to visit them frequently and should have supervisory powers, and they should be inspected by boards of health, as Massachusetts requires.

The relation of proper management of station houses to the health of the community is not realized, because the magnitude of the police work is not generally known. The census office collected police statistics for 1903. There were 175 cities which had an estimated population of 25,000 or more. The number of arrests in those cities was 1,102,331. In the cities having a population of from

8,000 to 25,000 each, there were 284,453 arrests, making a total of 1,386,784 arrests in a single year.

The financial figures are even more startling. The cost of police in the 175 cities having a population of 25,000 or more was $36,562,993; in the 8,000 to 25,000 group the cost was $3,411,946. That is, the police protection of these cities from their criminal population, and the maintenance of public peace and order, cost nearly forty million dollars a year! The police, maintained at such a cost, leave this million and two-fifths persons at the station houses, and within a few hours a large percentage of them are back in the community again, for less than 150,000 of them were sentenced to imprisonment by the courts. A few thousand others were imprisoned for a non-payment of fines, but at least a million men and women reappeared in the community after a brief detention.

Provision should be made for the classification of this great host of arrested persons. The most important step is the separation of the sexes, so that they will not be within sight or hearing of each other, in the station house or in the dock of the court. Women prisoners should be cared for by women, as they now are in the larger cities. Every woman should have a separate cell. Many a decent young woman has been injured by a brief contact with a degraded prisoner of her own sex. Arrested children should be sent to a detention home, and not to the station house. Such a home can be utilized, also, in place of the jail, for the temporary detention of children when their cases are continued for trial. There should be some place, other than the station house, for the insane and for persons picked up on the street insensible. If a separate place cannot be maintained, a room should be provided instead of a cell.

But no matter what improvement may be made in the physical conditions of the station houses, it will always be true that it is better, so far as practicable, to keep persons out of them than to put them in. It is possible that in some cases there is value in the shock which comes to a man on the occasion of his first arrest. But for most men the physical injury done by confinement in unsanitary station houses, and the moral injury which comes from contact with other, unclassified, offenders, and from listening to the profane and obscene speech of many of them, more than counterbalances any good which may come from their arrest. Many must be arrested summarily, and taken to station houses, but more care should be taken to prevent the arrest of innocent persons, and the sick and insane who are taken to station houses should not be put with crim-

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inals. The sense of shame is easily lost, and the self-respect of many a man has been injured by a brief confinement in the station house.

The facilities for the release from station houses of those arrested for petty offenses should be increased. More assistance should be given to those who wish to find sureties. The purpose of the arrest is merely to secure attendance when the charges are tried. It is not for punishment.

The treatment of persons arrested for drunkenness is a special problem. They are taken to the station for their own protection, as well as to relieve the community of a nuisance. A system like that long tried in Massachusetts, by which, after careful investigation, the occasional offender of this kind is released from the station house when he is sober, without taking him into the court, is of great value. It saves public exposure, which has ruined many a man.

It is also possible to keep many out of station houses by issuing summonses instead of arresting on warrants. If a man charged with a petty offense has a home and employment he is pretty likely to respond to a summons. Arrest and confinement in a station house are used needlessly in many cases, simply because it is easier for police and judicial officers to treat all offenders alike, locking up, indiscriminately, all who are charged with crime.

IN CONCLUSION

The existing system of dealing with crime, out of which have grown so many of the evils of our jails, workhouses and station houses, is based upon many erroneous assumptions. The fundamental error was the supposition that we were dealing with crime,—an abstract thing,—when, instead, we were dealing with human beings. It was assumed that all who committed crimes were criminals at heart, which may have been measurably true when the statutes recognized only offenses against the person and against property. But it is not true of the multitudes who are arrested for offenses against public order. It was assumed that the punishment of criminals would prevent crime, and was the only means of preventing it. It is now known that neither of these assumptions is true.

An improvement of jails, workhouses, and station houses must follow the more general recognition of the real character of the great majority of offenders against the laws, and of the vital interest which the public has in the proper treatment of those who are so soon to be free. The community is injured when, by any treatment less than the best, an offender in custody is injured in body, mind, or morals.

III

THE STATE PRISONS OF THE UNITED STATES UNDER SEPARATE AND CONGREGATE SYSTEMS

By FREDERICK G. PETTIGROVE
Chairman of the Massachusetts Prison Commission

THIS article is intended to show the development of the present mode of imprisonment in the state prisons of the United States, and to briefly describe the general features of their administration. To those who have read the comprehensive work of Professor Charles R. Henderson on Modern Prison Systems, it is needless to explain that in the management of the American prisons there is a great variety of detail. A complete view of them would be impossible within the prescribed scope of this chapter. Therefore, a few representative prisons have been chosen and the selection has been governed by availability of material. Many prisons of excellent management and of modern construction are necessarily omitted because they are not sufficiently described in any report.

In all social regulations each state is a law unto itself. Any uniformity that exists today in the prisons has been attained only by comparison and investigation. While there can be no statutory rule for uniformity there is nevertheless a large degree of similarity in the general features of administration, and many prisons agree substantially in methods.

It should be noted that this paper does not furnish statistical information because that is supplied in another form elsewhere. Nor does it deal in particular with the questions of prison labor, or with other details which are the subjects of special articles in this volume. The only references to those matters are such as may be needed to depict some changes in method.

STATE PRISONS OF THE UNITED STATES

At the close of the Revolutionary War, the places for the imprisonment of offenders in nearly all the thirteen colonies were wretched and miserable. In one of the New England colonies, for

College of St. Francis Library
Joliet, Illinois

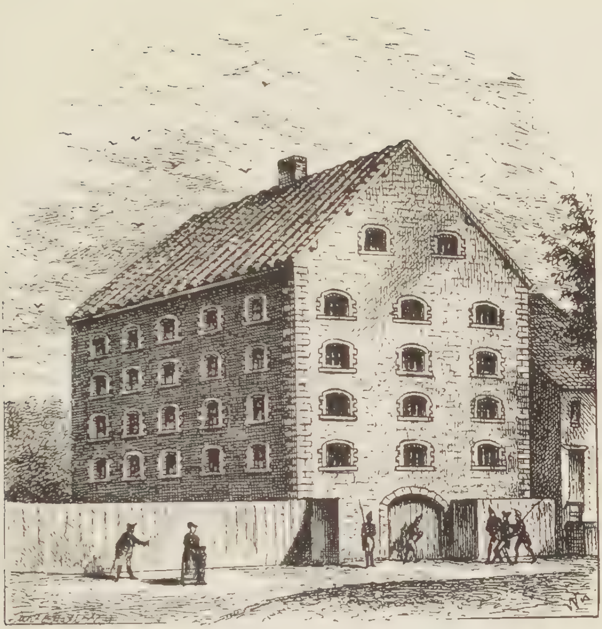
instance, the authorities had purchased an abandoned copper mine, and in pens seventy feet under ground, scores of wretched malefactors were confined and subjected to the utmost severity. This prison was called Newgate. It was perhaps the worst in the country, yet nearly everywhere the jails were such as would now be thought unfit places in every respect.

Immediately after the peace, attention was drawn to a reform in the penal statutes. This was partly due to the influence of the writings of Sir William Blackstone, and the reports of John Howard. Then, too, the teaching of William Penn had not been forgotten. Penn had declared when he founded the Commonwealth of Pennsylvania in 1680, that the reformation of the offender was more important than his punishment, and it was upon this principle that the laws of Pennsylvania were formed. Therefore it is not surprising that the first general movement for reformed prisons began in Pennsylvania, where Benjamin Franklin, Benjamin Rush and other philanthropic citizens had shown an active interest in the subject.

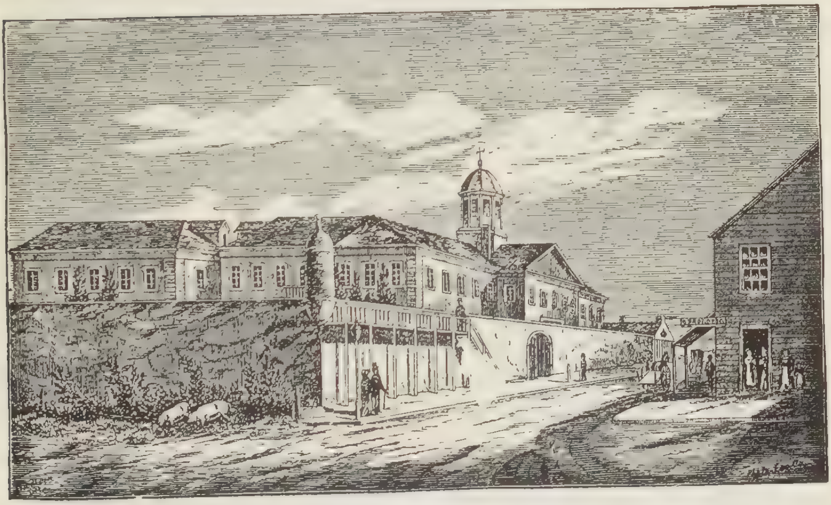
The reforms in the penal code by which imprisonment was substituted for the death penalty, made it absolutely necessary to provide better places for long detention. At the time of the Revolution, Pennsylvania had eighteen crimes punishable by death, but before the close of the eighteenth century that penalty was abolished for every crime but murder in the first degree. Similar changes of a greater or less extent were made in the penal laws of other states.

Massachusetts a few years before had established a separate place of imprisonment on an island; but the first attempt at places for classification of prisoners was made in Philadelphia, where in 1790 a prison was erected containing rooms for the detention of prisoners in small groups. This prison was never wholly satisfactory from a sanitary view and proved unfit in other respects. It was a great improvement upon what had gone before, however, and was watched and observed with much interest. In the course of years a scheme of industry was devised by which the state derived a large return from the work of the convicts.

In 1794, a citizen of New York who had visited Philadelphia was so impressed with the apparent benefit of the new system recently established in Pennsylvania, that he induced other citizens to make a similar inspection in 1795. In the following year General Philip Schuyler, that distinguished citizen of New York who as an officer in the Revolutionary Army endeared himself to the English and German officers by his generous and hospitable treatment after



A PRISON OF 1776
From an old print



NEWGATE: THE FIRST STATE PRISON IN NEW YORK
From an old wood-cut

the battle of Saratoga, prepared a bill "for making alterations in the criminal laws of the state and the erecting of state prisons."

In that year Governor John Jay, in his message to the legislature of New York, recommended the mitigation of the criminal code, and the erection of establishments for the employment and reformation of criminals. Upon this message General Schuyler's bill was introduced; and it was successfully advocated by Ambrose Spencer, then a member of the legislature and afterward the eminent Chief Justice of that state.

This bill became a law on March 26, 1796. It directed that two state prisons should be built, one at New York and another at Albany. Subsequently the plan for a prison at Albany was abandoned, and the entire appropriation was applied to the prison to be erected in New York City. It may be interesting to note that John Watts, Matthew Clarkson, Thomas Eddy, John Murray, Jr., and Isaac Stoutenburgh were the building commissioners.

The site of the prison was on the bank of the Hudson River about two miles from City Hall. The building fronted on Greenwich street about 200 feet; from each end of this building a wing extended toward the river, and from that two smaller wings were projected. The walls were made of freestone, and the style of architecture was the Doric.* There were fifty-four rooms for prisoners each designed for the accommodation of eight persons. The establishment contained a chapel with galleries, and there were suitable apartments provided for the keepers. One of the wings was assigned for the imprisonment of women and this had an entirely separate courtyard. The buildings and courts covered about four acres of ground, and the lot was surrounded by a stone wall 23 feet high on the river side, and 14 feet on the front. The prison was governed by a board of seven inspectors appointed by the governor and council. The inspectors with the judges of the supreme court, the mayor and recorder of the city of New York, the attorney general, and assistant attorney general were authorized to make regulations for the internal government and management of the prison: and the governor with certain other officials, and such ministers of the gospel residing in the city as had the charge of churches or congregations, were to visit and examine the prison at their pleasure. This prison also was known as Newgate and is mentioned by that name in many old reports.*

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* Various kinds of material have been applied to prison building. In a large majority of cases brick and stone have been used. Some years ago the steel cell was introduced; Connecticut, Virginia, and Maryland with some others have good prison blocks of that construction. Quite recently concrete has been a favored material, and it is to be used largely in the new state prison of the Empire State (New York).

The prison was begun in the summer of 1796, and was occupied in 1797, although it was two years after it was opened for the reception of prisoners before the boundary walls were built and the workshops completed. The first work introduced was the making of boots and shoes under the instruction of a skilled shoemaker who was serving a life sentence. This was followed by iron work, such as blacksmithing and nail making. It is said in one of the inspector's accounts that about all the work was performed under the superintendence of skilled mechanics who were serving sentences.

The example of Pennsylvania and New York was soon followed by Virginia. The state prison of Virginia will have special interest for many of our visitors because the original buildings were constructed according to the plans of a French architect which were brought to the United States by Thomas Jefferson when he returned from Paris, where he had been the American Minister.

Mr. Jefferson thus described his agency in this matter:

"With respect to the plan of a prison, . . . I had heard of a benevolent society in England which had been indulged by the government in an experiment of the effect of labor in *solitary confinement* on some of their criminals, which experiment had succeeded beyond expectation. The same idea had been suggested in France, and an architect of Lyons had proposed a plan of a well contrived edifice on the principle of solitary confinement. I procured a copy, and as it was too large for our purposes, I drew one on a scale less extensive, but susceptible of additions as they should be wanting. This I sent to the directors instead of a plan of a common prison, in the hope that it would suggest the idea of labor in solitary confinement instead of that on the public works, which we had adopted in our revised code. Its principle accordingly, but not its exact form, was adopted by Latrobe in carrying the plan into execution, by the erection of what is now called the Penitentiary, built under his direction. In the meanwhile the public opinion was ripening by time, by reflection, and by the example of Pennsylvania, where labor on the highways had been tried without approbation from 1786 to 1789, and had been followed by their Penitentiary system on the principle of confinement and labor, which was proceeding auspiciously.

"In 1796, our legislature resumed the subject and passed the

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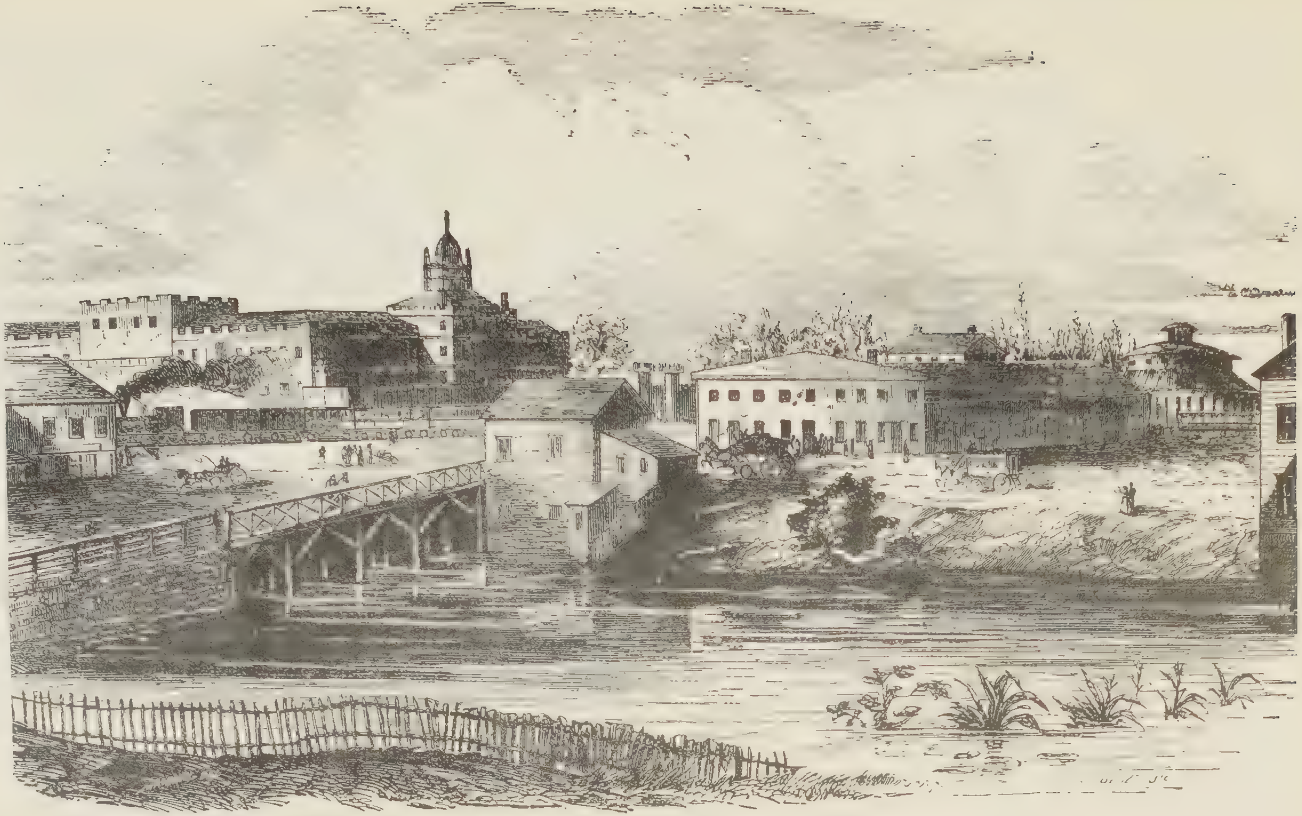
* Account of the State Prison or Penitentiary House in the City of New York. 1801.



State Prison and Railroad Buildings, Auburn, New York, in 1849

From an old wood-cut in the possession of F. G. Pettigrove

law for amending the Penal Laws of the Commonwealth. They adopted solitary, instead of public labor, established a gradation in the duration of the confinement, approximated the style of the law more to the modern usage."*

This prison was opened in Richmond in 1797 and is still occupied, being the oldest prison in the United States. During the trial of Aaron Burr at Richmond in 1807 he was detained in this prison. The buildings differ in arrangement from any other penal establishment in this country. The original building was a semicircular structure with rooms opening directly upon an inner courtyard. The rooms in the first building vary in size and accommodate from two to twelve prisoners. Some years ago a new cell block was erected to provide for the added population and here the rooms have two prisoners in each.

In less than ten years after the Newgate prison was opened in New York it was found to be inadequate, and it is recorded that in 1809 the governor was obliged to pardon as many prisoners as were committed, there being no place for new arrivals until some rooms were vacated. It was not until 1816, however, that any decisive step was taken to relieve this condition. In that year a commission was appointed to build an additional prison at Auburn. The commission consisted of Elijah Miller, James Glover, and John Beach, and they proceeded with such promptness and energy that some cells were ready at Auburn in the winter of 1817. Convicts were then transferred to aid in the work of construction, and in 1818 the main building and one wing were finished. The principle of cellular separation was not fully observed in the first buildings here. The cells were designed for two prisoners and there were twenty-eight apartments intended to hold from ten to twenty prisoners each. At first there was the same sort of discipline as at Newgate in New York City. The convicts were employed in workshops during the day and kept in groups at night. The officials at both places, but especially at Auburn, were anxious to improve the methods because healthful discipline was impossible in buildings so arranged.

From the necessity of improvement came the changes that in their entirety made the celebrated "Auburn system" that has been so widely discussed, criticised and copied; and that, with many essential modifications to be sure, but still preserving its cardinal principle, is the plan upon which nearly all large prisons in America are conducted. The first warden at Auburn was William Brittain and he was the designer of the arrangement of solitary or separate cells which was authorized by the legislature of New York in 1819. This is said to have been the first law for separate imprisonment, although priority is sometimes claimed for another state. When Brittain was agent and warden at Auburn, Captain Elam Lynds* was the principal keeper, and when Mr. Brittain died in 1821 Captain Lynds was placed in full charge of the prison. In many accounts he is given credit for the details of the Auburn plan. One writer says that Lynds made experiments with his new discipline without legislative authority; and that the act of 1819 was merely an approval of what he had already attempted.

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* Writings of Thomas Jefferson, Vol. 1, p. 64.

An old account says that Captain Lynds, without any legislative direction, changed the discipline at Auburn so that the prisoners were confined in the cells during the night but employed in common workshops during the day. In connection with this he imposed a rule of silence which was long a prime feature of the Auburn system. He also required the lock step in marching and fed the convicts in their cells instead of in a common dining room. A committee of the legislature consisting of Messrs. Allen, Hopkins and Tibbitts visited

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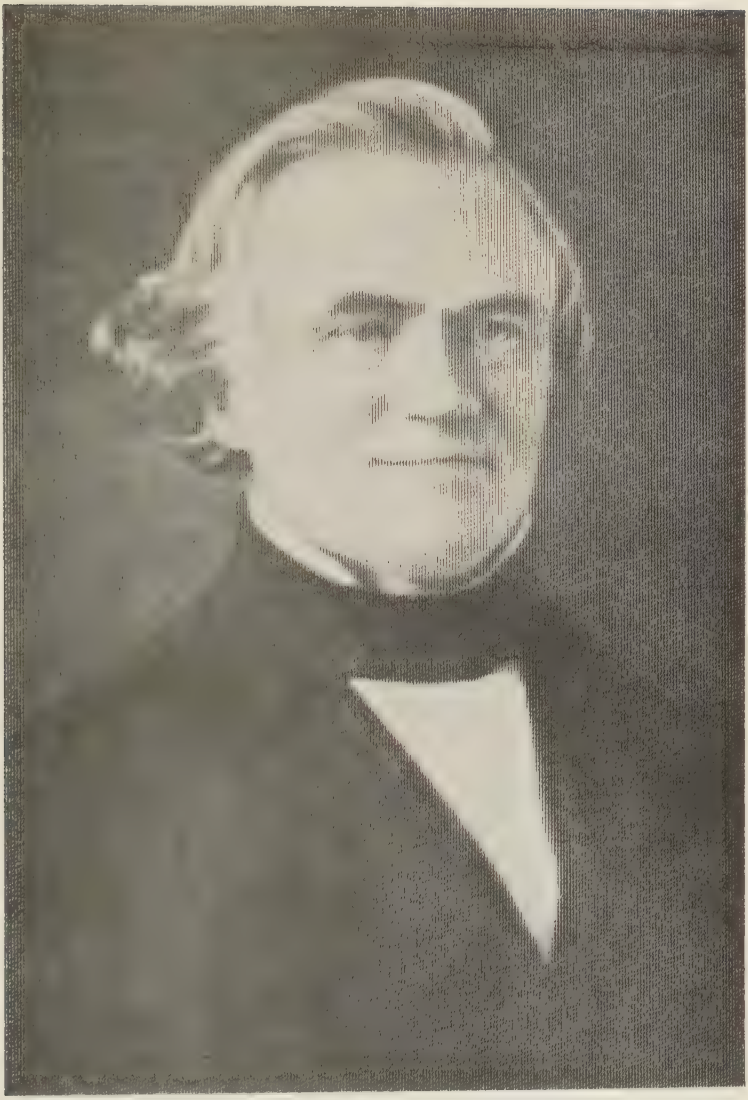
* Elam Lynds was born in Litchfield, Connecticut, 1784. His parents moved to Troy, New York, when he was an infant. He learned the hatter's trade and worked at it for some years. In the War of 1812 he held a captain's commission in a New York regiment. When the Auburn State Prison was opened in 1817, Captain Lynds was made the first principal keeper, and four years afterwards he became warden. He made many experiments with a view to furnishing better occupation and to improving the general condition of the prison. He devised the main features of what is now known as the Auburn System of imprisonment. When it was proposed to erect a new state prison at Mount Pleasant on the Hudson, Captain Lynds was selected to take charge of the enterprise. He began this work in 1825, and successfully prosecuted it for four years with prison labor, when the Sing Sing prison was completed according to the original plan. After his retirement from the prison service he lived in New York City, where he died in 1855.

When writing the article on the State Prisons of the United States it seemed to the author that it would be exceedingly interesting if the illustrations could include a portrait of Captain Elam Lynds, who was the founder of the Auburn or congregate plan of imprisonment, and was also the pioneer in the method of building prisons entirely by the labor of prisoners. Accordingly requests were sent to various prison officials of New York, and search was made in book stalls and print shops in different places; but no portrait of him could be found. After my manuscript and illustrations had been sent to Professor Henderson, a lady in New York City, Mrs. Phillip J. Grant, who was at one time interested in prison matters, kindly offered to make further search. She caused an advertisement to be placed in a newspaper there, and in a few days there came to her a letter from Mrs. Cornelia Lynds De Forest, the daughter of Captain Elam Lynds. Mrs. De Forest makes her home with her niece, Mrs. Calhoun, the wife of Hon. J. Gilbert Calhoun of Hartford.

According to an arrangement made by Mrs. Grant, I called upon Mrs. DeForest, who showed me the portrait of her father and gave many interesting details of his life. With the consent of Mrs. De Forest the picture was placed by Mrs. Calhoun in the hands of a photographer in Hartford who made the copy from which the cut is reproduced for this book.



Elam Lynds

the prison and were so impressed with the value of the changes that they persuaded the legislature to adopt and extend them.

Under an act of 1821, following an experiment in Pennsylvania, New York adopted a scheme of grading which proposed three classes. The most dangerous and impenitent composed the first class, which was doomed to constant confinement in solitary cells with no companion but their own thoughts and, if the keeper saw fit, a Bible. The second class, to be the less incorrigible, should alternate between solitary confinement and labor as a recreation. The third, being the most hopeful, were to work in association by day and to be in seclusion by night. The first class was separated from the others on Christmas, 1821, and consisted of eighty-three of the most hardened prisoners who were committed to silence and solitude. In less than a year five of the eighty-three had died, one became an idiot, another when his door was opened dashed himself from the gallery, and the rest with haggard looks and despairing voices begged to be set to work.

In 1824, a committee of the Assembly consisting of Samuel H. Hopkins, George Tibbitts and Stephen Allen was appointed to consider the subject of punishments and prisons. The committee sent Captain Lynds into other states to observe prison conditions elsewhere. In 1825 this committee made a report recommending the repeal of the law for solitary imprisonment and urging that all prisoners should be kept at work for the sake of their own health and for the public welfare.

As the New York and Auburn prisons were inadequate the same committee was authorized to select a site for a new and larger prison. It was decided to build another at a place called Mount Pleasant-on-the-Hudson which since, under the name of Sing Sing, has become inseparably associated with the imprisonment of convicts just as the name of Botany Bay is forever linked with the transportation of felons. The selection of the site was dictated by the fact that at Mount Pleasant there were great marble quarries which the prisoners could work to advantage and profit.

In May, 1825, Captain Lynds was directed to select one hundred convicts and a sufficient number of keepers from the Auburn prison and proceed to construct the new prison. Captain Lynds was a man of great energy and firmness of character. He was a veteran of the War of 1812 and his military experience was of large service to him when he removed the convicts to the new site where, without any barriers, they were employed in constructing the prison buildings.

His work at this place has been mentioned with great approbation by many writers. Major Griffiths, the English inspector, makes a very appreciative reference to it in The Secrets of the Prison House. The fact that Captain Lynds succeeded in accomplishing this work without any serious disturbance, amply proved his capacity as an executive. One writer of his day says of his beginning with one hundred convicts: "He led them to the spot and camped on the bank of the Hudson without a place to receive or walls to secure his dangerous companions. He made every one a mason, carpenter or other useful laborer with no other power than the firmness of his character and the energy of his will, and thus for several years the convicts were engaged in building their own prison."

The buildings at Sing Sing were finished according to the original plan in 1829; they contained 800 cells, and 200 were added in the following year. In May, 1828, when enough cells were completed, all the convicts from the New York prison were removed to Sing Sing, and the prison erected in 1797 was abandoned and sold. In 1835 another wing was added to Sing Sing. Spacious and convenient additions have been made from time to time for the accommodation of some of the departments; but the cell blocks retain their original form and have been condemned for many years as insufficient and altogether unsuitable.

In 1844, when more room was needed, the legislature of New York enacted that: "There shall be a state prison established at some place in this state, north of a line running east and west of the city of Albany, for the purpose of employing the state prison convicts in mining, and the manufacture of iron, together with the manufacture of such articles from iron as are principally imported from foreign countries. Such prison shall hereafter be known and called by the name of the county in which it may be located." Ransom Cook, who had been the commissioner to inquire into the feasibility of a prison for special industries, was appointed the agent to carry out this law. Convicts were drafted from Sing Sing and Auburn and by their labor the buildings were erected; and here was established a prison that has been more widely known by the name of Dannemora, the town, than by the name of the county as the law enjoins.

A prison is now under construction at Bear Mountain to take the place of Sing Sing.* The new establishment will be arranged

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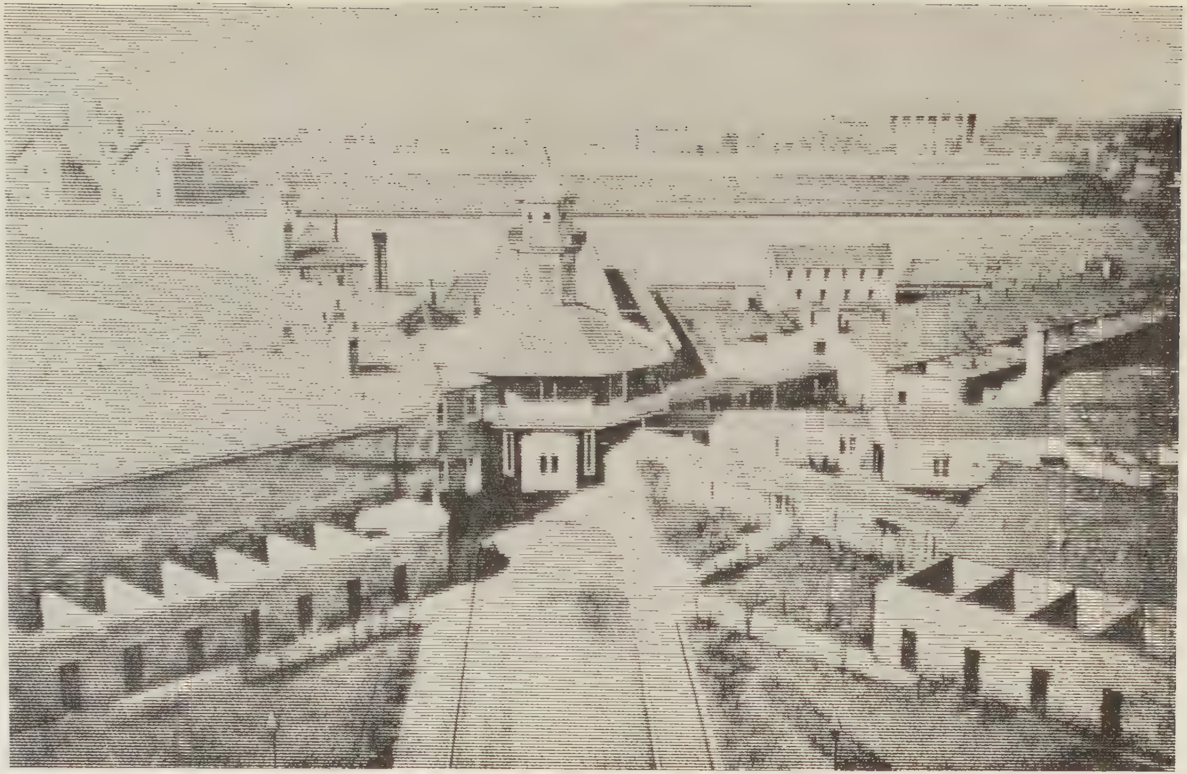
* Hon. Samuel J. Barrows, whose decease in April, 1909, was lamented by all friends of humanity, was a member of the commission that selected the site and adopted



Eastern Penitentiary, Philadelphia, Pennsylvania
From an old print

upon a most comprehensive scale. The commission of prisons says in the report of 1908: "In July, 1908, the superintendent of prisons transferred about fifty prisoners from Sing Sing to the Bear Mountain site. A boat had been previously purchased for use between Sing Sing Prison and this site, and a temporary dock had been constructed. Temporary barracks were erected for the housing of these prisoners. Later the number was increased to about seventy-five. These prisoners have been employed during the latter part of the summer and fall in clearing the timber from that portion of the site which is to be included within the prison wall, in the construction of a temporary water supply, and doing other necessary preliminary work." *

While the changes were taking place in New York, and experiments were being made to determine the best method of imprisonment, the subject was also being thoroughly studied in Pennsylvania. The Old Walnut Street prison had proved unsatisfactory, and in consequence of the efforts of the Society of Friends, and others, an act was passed to build a prison on what has since been widely known as the "Philadelphia plan." This prison was built at Cherry Hill and opened in 1829.

When the Eastern Penitentiary was opened, and it was proposed to break up the old Walnut Street prison, it was said that the convicts might possibly resist removal to the new place. Many prisoners had accumulated large sums of money by extra work, and it was suspected that they would retain counsel to avoid the change to a place where this work would not be continued. From the many accounts of this place, that of Warden Michael Cassidy has been selected as giving the best description. He was for a long time connected with the prison, and was warden of it for a great many years. His spirited and vigorous defence of the establishment will long be remembered.

In an address before the National Prison Association, Mr. Cassidy thus described the institution:

"The central building from which the cell structure radiates is in a ten-acre lot of ground. There is a boundary wall thirty feet high. The main building is forty feet in diameter. There are ten

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the plan for the new prison. While chief officer of the New York Prison Association he labored by voice and pen to secure this needed improvement in the prisons of his native state.

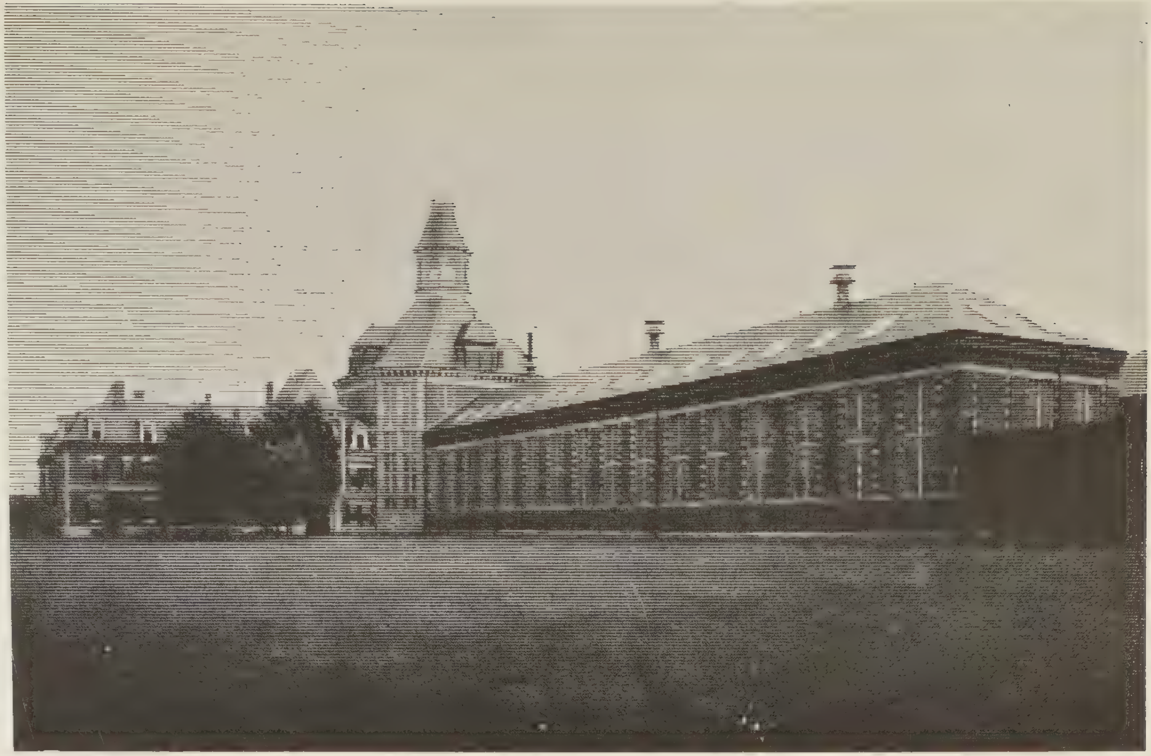
* This paragraph was based upon the latest official reports, but since writing it the writer has learned that work on the Bear Mountain site has been discontinued. In conformity with a plan for extensive improvements along the Hudson River the state has abandoned the project of making a prison at this place, and another situation has been chosen for the new prison that is to take the place of Sing Sing.

corridors opening into the center building. Six of these corridors are of one story; the other four are of two stories. The original building was intended to have but seven of these blocks, but the population increased to such an extent that additions were necessary. The cells are eight feet wide, eighteen feet long and eleven feet high, lighted by two skylights in the roof. The inner door of the cell is of iron; the outer door, which slides in grooves, is made of wood. The rooms open upon a corridor ten feet wide and sixteen feet high, abundantly lighted from the roof. These corridors are under supervision from a center building where there is always an officer on duty, and the entire 731 rooms can be noticed all the time. The door is locked open all the time, night and day. There is water in each room with an incandescent electric light which is turned off at nine o'clock in the evening. The furniture comprises the bedstead made of wood, simple and inexpensive so that it can be frequently renewed in the interest of sanitary conditions. There are all the needed utensils for cleanliness."

At the present time the separate system exists in this prison in theory only. There are 728 cells for more than 1500 prisoners. A new block of cells is under construction, but that will supply only 120 cells.

In July, 1826, a prison was opened at Allegheny in Western Pennsylvania. Here the prisoners were kept in large cells intended merely for confinement and without any attempt at classification or employment. This was unsatisfactory, and by a law of 1829 separate or solitary imprisonment at labor in the cells or work yards was substituted. The first cells were unsuited to this plan and in 1834 larger cell buildings were provided. By an act of the Assembly of 1869 the inspectors were authorized at their discretion to have the convicts of the Western Penitentiary congregate for the several purposes of labor, learning and religious service; and when a new building was begun in 1878 under an act passed in that year, it was designed with separate cells and suitable workshops to carry out the Auburn system in all its essential features. This new prison was built under the direction of Captain Edward S. Wright, who had a long and honorable service as warden of the Western Penitentiary. It is one of the most complete structures ever made for prison purposes. It is situated upon the banks of the Allegheny river and presents an impressive appearance.

Massachusetts established a prison on an island in Boston Harbor in 1785; but as this was unsatisfactory, not on account of its site but from lack of suitable buildings, a new prison was erected at



New State Prison in Concord, Mass., in 1878, Now the Massachusetts Reformatory

Charlestown in 1805. This building was designed and constructed by Charles Bulfinch, a celebrated architect, who built the State House in Boston and also designed a part of the Federal Capitol in Washington. The other commissioners on the construction of this building were Hon. Edward H. Robbins, the lieutenant governor of the state, and Jonathan Hunnewell, a famous merchant of his day. The building was made to keep prisoners in small groups, and was considered to be as secure as any in the land at that time. When it became necessary to augment the capacity of this prison an extension was made by the erection of what was commonly known as the north wing, containing small separate cells, like Auburn, in a block within an enclosing building. Various enlargements of the Charlestown prison were made up to 1866.

Ten years after that time, when the prison was much crowded, a new establishment was projected at Concord. The Concord prison was completed and occupied in 1878. On the exterior these buildings show the same aspect that is presented by the best types of the modern Auburn style of building, but the cell blocks lack one feature now generally admitted to be indispensable to the best arrangement; that is, the open space at the back of the cells commonly known as the utility corridor wherein are placed all the pipes used for a variety of purposes. When these buildings were under construction, General Samuel E. Chamberlain, then warden, urged that this space should be left, but from motives of economy it was not provided. This has always been regarded as a mistake by the prison officials and it has never been repeated in Massachusetts. In 1884 the new prison buildings were taken for a reformatory* and the state prison was returned to the Charlestown buildings that have since been enlarged by the extension of the north wing with large well ventilated cells, and have received many other additions.

Maryland established a prison at Baltimore in 1811 and by various changes a great industrial establishment was created. A few years since, a new prison was occupied which is thus described by Warden Weyler in a letter written two years ago:

"In reply to your inquiry in regard to our prison, its cost and manner of construction, I would say that our new buildings consist first of an administration building, containing chapel, Sunday school room, officers' assembly room, directors' meeting room, the warden's office and general business department, as well as bathing department for the men. This is a five-story building, 90 feet square, constructed of the best Maryland granite. Two dormitories lead off from the administration building at right angles, containing 850 cells for men; these buildings are also constructed of granite. The cells contain all the modern sanitary appliances, toilet and running water in each cell, latest improved modern locking devices, etc. Other buildings are a power house, with four engines and boilers, 1050 horsepower; electric light plant, with four generators of 140 kilowatts each; . . . a dining room building, 200 by 50 feet, bake house and kitchen adjoining, with cellar full length of the building for storage purposes; a five-story building for manufacturing purposes, 100 by 50 feet; and we are just completing new buildings for the female department, to contain 135 cells, with all the modern sanitary arrangements, improved locking devices, etc., room for laundry, kitchen, separate dining room two workshops, chapel, hospital and matron's quarters. The . . . buildings . . . are 'all constructed of granite, and erected under contract by outside labor. . . . The entire cost was $1,500,000, including the cost of additional ground, which was $160,000."

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* Indiana and Iowa in later years took for reformatory purpose buildings that were designed as state prisons. And within a short time one of the prisons in Texas has been taken from the authority of the prison board and made a reformatory altogether.

In announcing the completion of the new prison planned by the warden, and built under his personal supervision, the directors say that the buildings are models of their class; and referring to methods as well, they describe it as not merely a prison but a most successful reformatory.

The original states generally followed with the erection of central prisons. Connecticut took over old Newgate in Simsbury in 1790, and conducted it as a state prison with buildings above ground until 1827, when a prison was opened at Wethersfield which by many changes has reached its present good condition. New Jersey built a prison in 1798 where prisoners were kept in groups. The separate plan was adopted in 1836 when a new prison was erected, but was abandoned when new wings and workshops were added. In Rhode Island no state prison was established until 1838. It has now a state prison at Cranston which superseded the old prison at Providence. The new prison is one of the very best of the smaller prisons. New Hampshire built a prison in 1812. Other states followed at intervals. After 1829, when the separate prison was established in Philadelphia and the Auburn plan was well under way, prisons were constructed or rearranged in all the states.

Of the states created since 1789, Illinois in the middle west has exerted a wide influence in the administration of prisons. For many years after the state was admitted in 1818 there was an unsatisfactory and insufficient place of detention at Alton. In 1858 a state prison was built at Joliet, and by successive additions and alterations it has come to be one of the largest in the country. It has almost uniformly been managed by capable wardens, and it took high rank under the control of a warden who is now in charge of the federal prison at Leavenworth, in Kansas. Many officers trained here have reached commanding positions in the service of other states. In 1880, when the Joliet institution was overcrowded, another prison was erected at Chester in the southern part of the state. Under a recent act of the legislature a site has been secured for a new prison to take the place of Joliet. Commissioners have been appointed to obtain plans and prepare for the construction of the building.

Ohio was one of the earliest admissions to the Union after the adoption of the Constitution, and her territory was rapidly settled. In October, 1815, a prison was established at Columbus which has been occupied continuously since that time. It has a larger population than any other penitentiary in the United States, and can be cited as the place where the employment of prisoners by contract labor has been brought to a high degree of efficiency as far as the quantity and variety of the products are concerned. A new prison is to be erected in accordance with a recent law; and there is no doubt that better buildings are needed for this great state.

One curious and interesting establishment is the first prison set up in California. The territory of California received so great an access to its population by the discovery of gold in 1849, that it was admitted to the Union in 1850. Everybody was engrossed in the search for precious metals and not as much attention was given to social regulation as would suffice for reasonable protection to human life. As a consequence, when the gold seeking had attracted to the shores of California a collection of depraved characters from all parts of the world, conditions became so desperate that the inefficiently organized government was unable to cope with them. Whereupon the citizens organized what has been widely known as the Vigilance Committee, which administered law with little formality. Homicide, robbery, grand larceny or other felony was promptly and effectively dealt with by the rude court that sentenced many offenders to instant death. No time was wasted on preliminary imprisonment and strong jails were not needed.

But after all there remained some criminals to whom even the wild justice of early California could not award so severe a penalty as death. It was not wise to allow them to go unpunished and there were no jails in which to confine them. In this emergency, one of the state senators agreed to take upon himself the responsibility of restraining and employing these offenders for a certain sum. He was to have the benefit of their labor and to see that they were properly housed, fed and guarded. He sublet this contract to a man who gained notoriety in a few years as the keeper of McCauley's gang. In common parlance, every offender who was not killed was sent to McCauley's gang. For safe keeping these prisoners were lodged on a hulk that had brought treasure seekers around Cape Horn and had been abandoned in San Francisco Bay. Here the prisoners dwelt at night and in the day time were taken on shore to work in gangs. These operations were on the Sacramento river in the beginning, but after a while the hulk was moved down to the Bay and in a gale of wind became unmanageable, drifted across the Bay and grounded on San Quentin Point. Being unable to get the vessel afloat again, McCauley built barracks for his charges on the Point. He was led to this step by the fact that nearby there was an abundance of brick-clay. This prison remained under private charge until 1856, when the state decided to take public control and the whole establishment was purchased from McCauley.

The origin of the prison is unique and the prison buildings are novel in their design. The cells are separate and arranged in tiers like the ordinary prison, but there is no enclosing building for the cell block. Each cell door opens directly to the outer air.* The whole premises are surrounded by a high boundary wall. Many curious stories are told about the early days of this prison. It is said that visitors were admitted to the place with so much freedom that all sorts of excesses were possible. But that condition did not long continue after the state took charge, and under the administration of some able men the prison was reorganized and has become a veritable hive of industry. In the report of the state board of charities for 1908 there is a spirited protest against the continuance of the overcrowding at both San Quentin and Folsom prisons. The state prison directors have also urged an extension; and a new cell block is now well under way at San Quentin. To make room for the additional building a large hill south of the old wall was removed and the displaced material used to fill in some low tide land adjoining.

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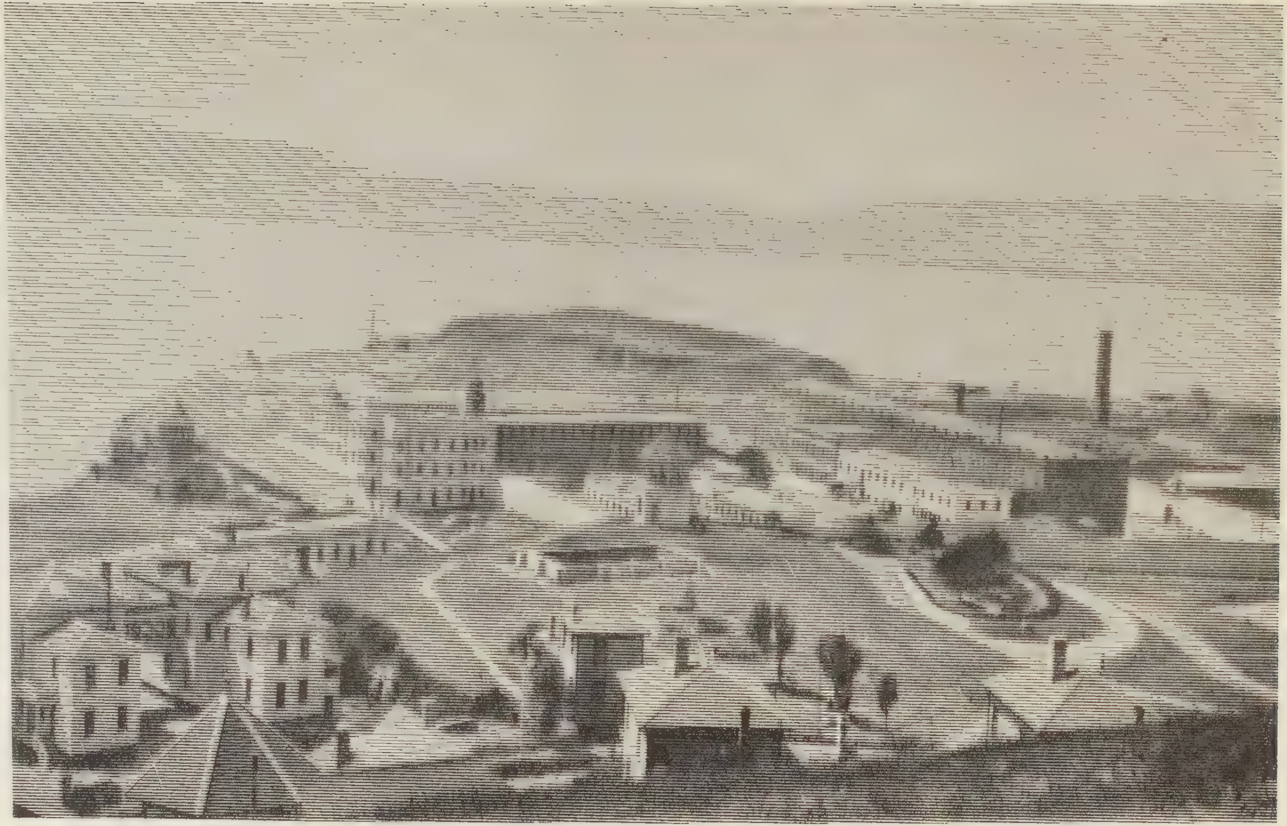
* The only prison outside of California which has cells with doors to the open is the Virginia prison, where the buildings are semicircular in arrangement.



State Prison at San Quentin, California

A state prison at Folsom was established in 1868 as a branch prison. In 1880 its connection with San Quentin was severed and it became the second state prison. The present cell house was erected by instalments from 1880 to 1892, to accommodate about 1,000 prisoners. There are 202 cells for two inmates, 101 cells for four, one room for 45 men, and nine cells for incorrigibles. The plan for the cell house is in nearly the form of a letter "U," with the dining room in the central part of the building. This prison has no wall around it, and the prisoners who work in the stone quarries and at other outdoor employments are restrained by armed guards and Gatling guns on towers overlooking the buildings and grounds.*

Tennessee, which had been a part of North Carolina, was admitted as a state in 1796. For ten years thereafter little attention was given to the criminal laws. In 1807 an act was passed mitigating some of the penalties. In 1813 another act recited in the preamble that the laws then in force had been found insufficient, and in that year another act was passed requiring the clerks of courts to open a subscription list for the purpose of erecting a penitentiary. Two years afterwards this act was continued, and the justices of the peace were required to present subscription lists to the tax-payers. This plan was not successful. In 1819 Governor McMinn urged the necessity of establishing the penitentiary. In 1825 Governor William Carroll dealt with this subject in his message, and strongly urged the establishment of a prison. It was not until 1829, however, that the penitentiary was authorized. The prison was begun in April, 1830, and on the first of January following was declared ready for the reception of convicts. This prison was erected in Nashville, and additions were made from time to time. In the report for December, 1882, the warden said that in all there were 352 cells, in most of which two prisoners were confined at night. At the annual prison congress held in Nashville in 1889, Warden Pearcy referred to the Nashville prison as having about the worst buildings in the country, and said it was a hard matter to keep discipline in such a place. The buildings were so unsatisfactory that in 1895 an act was passed for the purchase of another site and the construction of new buildings. In the report of 1900 the commissioners say, "It is exceedingly gratifying that Tennessee's prison appurtenances and convenience are far superior to those of surrounding states, the diversified method of profitably employing its labor so satisfactory, and that its system of maintaining and governing the inmates by kind and humane methods takes first rank in all the southern states and is equal to any of the northern and western states where expenditures for this department are enormously in excess of ours."

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* When the Clinton Prison was established in New York it was provided by an act of 1845 that the agent should draw arms from the state arsenal for the use of the keepers and guards, together with one cannon. It is curious to note that by the act the cannon should be used only for giving signals in case of escapes.

For some years prior to the establishment of the great federal prisons at Leavenworth and Atlanta, the state prison in Tennessee was selected by the Attorney General of the United States as the place of confinement for prisoners convicted in the United States courts, in the districts embracing a large portion of the southern territory.

Miss Dorothea Lynde Dix became interested in the state prison here, and in 1842, while on a journey to the southern states, she referred in a letter from Nashville to her stay in that city for the purpose of "doing something for the state prison." There is no further allusion to this subject in her published letters nor does she mention it in her pamphlet on prisons and prison discipline.

The north central state of Minnesota has taken a front rank by the improvement of its prison service. The prison is not only managed with superior business ability, but all humane methods that can be combined with a great industrial scheme are used to promote the interests of reformation and amendment. As the old prison is to be superseded by a very extensive establishment now in process of erection, it is needless to describe the old place. It will always possess an interest, however, to the historical student, because the site in Stillwater was long known as Battle Hollow, where, in 1839, was the scene of a fierce and bloody fight between the Sioux and Chippewa Indians. The new prison is laid out upon a most comprehensive scale. No official document containing details of it is accessible, but Warden Wolfer has published this account of it, which is quoted with his approval:

"The new prison is located two and one-half miles south of the old prison on a beautiful plateau overlooking the St. Croix River. The prison grounds proper have an elevation of about 40 feet above the river, which gradually bends around in front of the principal buildings now planned. . . . . The walls on three sides, north, west, and south of the new prison, will be constructed of reinforced concrete, with artistic panel facings and trimmed with pressed brick. The prison yard will enclose 22 acres. On the east side the grounds will be enclosed by the administration building in the center and the two large cell houses, ... radiating from the administration building at right angles north and south, stretching entirely across the front of the prison proper, a distance of one thousand feet. . . . . The administration building, and cross section to the cell house, will be built of concrete foundations and walls of brick, with pressed brick facings, but the cells will be built of reinforced concrete, in size six feet wide, nine feet long, and 8 feet high, with light, wide halls surrounding them.

"About one-third of the outside walls of the cell houses will be taken up with large windows running nearly to the roof. There will also be a large skylight in the cell house roofs over the halls, so as to make them as light and airy as possible. . . . . A plat of land containing three and one-half acres, will be used for parade grounds; to the left on the opposite side of the yard, the same amount of ground will be converted into a prison park, in the midst of which will be located a modern prison hospital. . . . . The amount appropriated for the new prison is $2,250,000."

When a part of Oregon was detached as the territory of Idaho, a territorial prison was established at Idaho City. This was made of logs and enclosed in a wooden stockade. In 1868 the federal government built a substantial stone prison near Boise City. In 1870 this prison was also surrounded by a stockade. Within the enclosure in 1889 the federal government built a new cell house containing about 40 cells, and when Idaho was admitted to the Union in 1890, this became the prison of the state. The area of the premises was 160 acres; extended in 1892 by the acquisition of 197 acres, and again in 1908, when a tract of nearly 110 acres was acquired. Most of this land is now enclosed by a substantial wire fence, and farming operations are carried on to great advantage.

When the state of Washington was admitted there was no building, within the territory, suitable for prison purposes. It was found that the United States penitentiary at McNeil's Island was insecure; and therefore new buildings were erected at Walla Walla, where there is now a very well planned prison (though of insufficient capacity for separate cells).

Utah has a state prison, inherited from the United States government when the state was admitted in 1896. It has since been nearly doubled in capacity, and now contains 444 cells built of steel.

In addition to enterprises which involve the creation of entire establishments, many important changes are taking place in some of the older prisons. For example in Michigan City, Indiana, an additional cell block is under construction, and it is proposed to supply a special place for the confinement of insane criminals. This will not be entirely detached from the prison as it is in Massachusetts and New York, but the buildings will be quite separate, and under the able direction of the present warden they will embody the best arrangements that experience and intelligence may suggest.

Much that would be entertaining and possibly instructive could be written of other establishments. Those that are described were selected for their early origin or because data were most available. It should not be inferred, however, that some not mentioned are less worthy of attention. If space permitted it would be useful, for example, to trace the origin and history of some prisons like those in Kentucky and other southern communities.* As prison conditions in the South are portrayed in another paper, this article makes only an occasional reference to that section.

For some years before 1830, there had been more or less discussion of the relative merits of the separate and congregate systems. But in that year, when each plan had been put into full operation, there began a spirited controversy between the friends of the respective systems as represented on one side by the Eastern Penitentiary, and on the other by the prisons developed under the Auburn plan. This dispute waxed and waned at intervals and is not quite closed.†

In a report of the warden of the Eastern Penitentiary for 1844, it was said that no prisoner had been pardoned on account of ill

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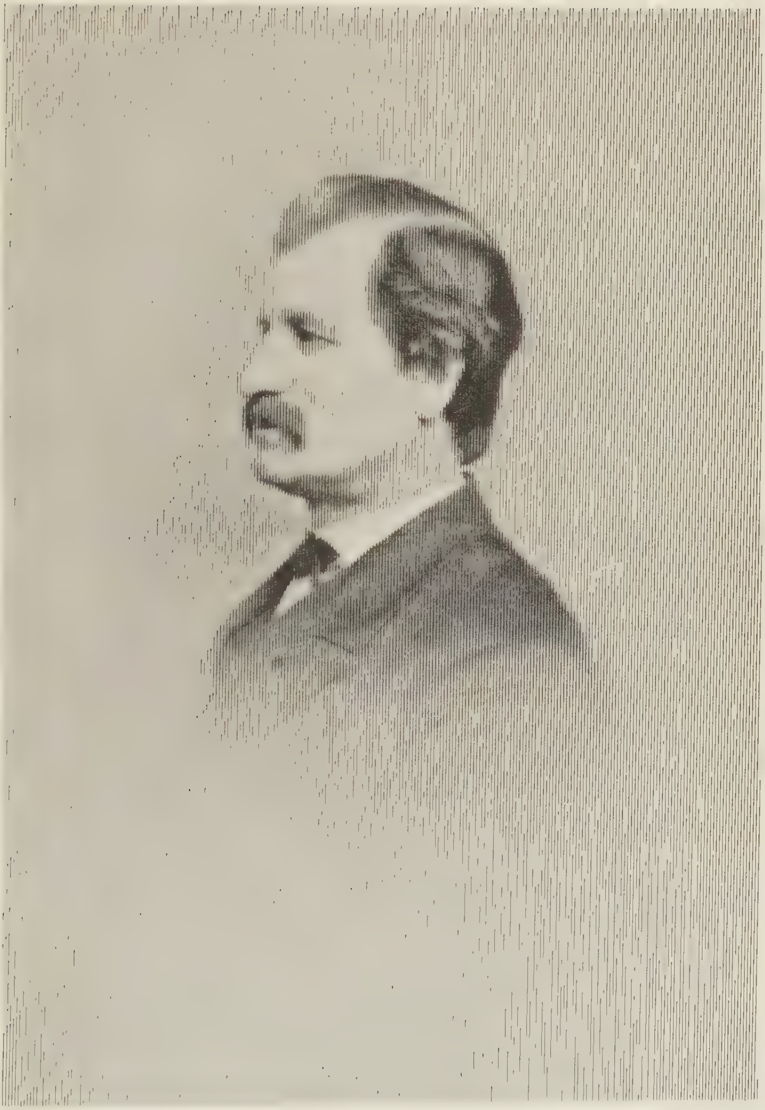
* Since writing the above I have received from a gentleman in Frankfort, Kentucky, a long account of the early laws and penalties in that state. It came too late to be incorporated in the original article, but it may be of interest to note that the state penitentiary in Kentucky was authorized by an act passed in 1795, three years after the state was admitted to the Union. The prison which was opened in Frankfort, about the close of the eighteenth century, still exists in that city, though it has seen many changes and additions (A branch penitentiary was established at Eddyville in 1891.) The beginnings were very small, and it appears by a report of 1804 that there were only 13 male convicts in the penitentiary. The report further says that these were two blacksmiths, two shoemakers, one good cooper and one indifferent cooper, two weavers, one nailer and three who for want of some more manly occupation were employed in spinning.

Under the plan first adopted in Kentucky, each prisoner was charged with his clothing, subsistence and expense of keeping; and if he was able to earn more than this amount he could have an allowance from the surplus when he left the prison. From an early report it appears that about $50 a year was the expense for each convict, but as employments were very limited, it is not likely that many of them had much more when released.

† One name long associated with the Eastern Penitentiary, was that of Richard Vaux, first appointed an inspector of that prison in January, 1842, by the Supreme Court of Pennsylvania. He was successively named by the Court until 1873, and after that served by regular appointments from the governor of the state until his death, March, 1895. Mr. Vaux was the son of Robert Vaux, a founder of the Eastern Penitentiary.



Gideon Haynes

health nor any whose health was so impaired as to have been likely to add to the mortality for the year if he had remained in prison. It is added that the proportion of deaths was greater among the colored than white convicts, and the warden says that he has authority for saying that the same rule is evident in the mortality of the city and any prisons on the Auburn plan. He states the merits of the Philadelphia system in this way:

"The system of separate confinement affords more facilities for the religious and moral instruction of prisoners by enabling them to be visited separately in their cells without interfering with the work except of the individual visited; without being overheard or the free conversation between the instructor and the prisoner restrained by the presence of others. The opportunities of thus benefiting the prisoner have not been neglected by those whose duty it was to give such instruction and when benevolence prompted them to do all in their power to help." The warden also cites statistics to show that the health conditions are good.

"This report is quoted because it relates to the period to which Charles Dickens referred when he wrote his criticism of that prison. It should be said that the present arrangement with the doors locked open so that the prisoner may look into the corridor is such a modification of the plan that Dickens saw as to remove much of the objection he made against it on the score of solitude. Long after Dickens visited the place and wrote his pathetic account of the poor German prisoner who was dying from the hardship of prison life there, Warden Cassidy called attention to the fact that the German was yet living, serving another term in prison, while the great novelist had been dead for many years.

Gideon Haynes,* warden of the Massachusetts state prison, was one of the chief critics of the separate system. Being of a liter-

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* Gideon Haynes was born in Waltham, Massachusetts, on April 27, 1815. After leaving school he worked as a mechanic for several years. Early in life he became interested in politics, and had a reputation as a fluent speaker. He was elected to the state senate in 1857, and in 1858 was chairman of a joint special committee that investigated the state prison after the warden and deputy warden had both been murdered in 1856. In 1858, Governor Banks appointed Mr. Haynes warden of the state prison. He held that place for nearly fourteen years, and made many important and beneficial changes in the discipline. He abolished the lash, was the first warden who allowed the convicts to assemble for recreation on a holiday, July 4; and persuaded the inspectors to discard the parti-colored garb long before any other warden had proposed to do it. He was an able and interesting writer, and his reports as warden were of great value. He was the author of a book called Pictures from Prison Life. Mr. Haynes retired in December, 1871, and died August 8, 1892.

Many high hopes were entertained when the new system of prison discipline had been generally adopted in 1830. In one of his eloquent moods in 1833, Edward ary habit, he wrote many interesting reports defending the congregate system, and often traversing the statements made on behalf of the separate plan. In one of these he quotes the inspectors of the Eastern Penitentiary who requested that prisons on the congregate plan would contribute information as to the death rate in their prisons. He accepted the challenge and proceeded to show that during a term of years the death rate of the Eastern Penitentiary was nearly double that of the Massachusetts prison. The next report from Pennsylvania controverted this statement. And so back and forth for a long time the figures were quoted and arguments were made. It would be of little value to reproduce the discussions of that time, for they were all based upon conditions that have passed away or are now much modified.*

Both the Philadelphia and the Auburn plans have been seriously impaired by a condition of overcrowding for which the prison officials are not responsible. For example, it was intended at Philadelphia that each prisoner should have a small exercise yard to which he should have access for one hour each day. In some of these places, small gardens were made and it was one of the best palliatives of the solitary system. When the increased population made it necessary to erect buildings of two stories, the upper cells were necessarily without this appurtenance, and to that extent the Philadelphia plan was deprived of one of its chief benefits. After as many extensions of the building had been made as space would permit, the population still increasing, it became absolutely necessary to place two or more convicts in each cell. And altogether there have been such serious inroads upon the Philadelphia system that it is impossible to judge what the effect might be if it were carried out in its integrity. And likewise the lack of sufficient space and of suitable departments has hindered the progress of the congregate methods. But many changes in this plan have been the modifications made by the officials to render the system more useful and

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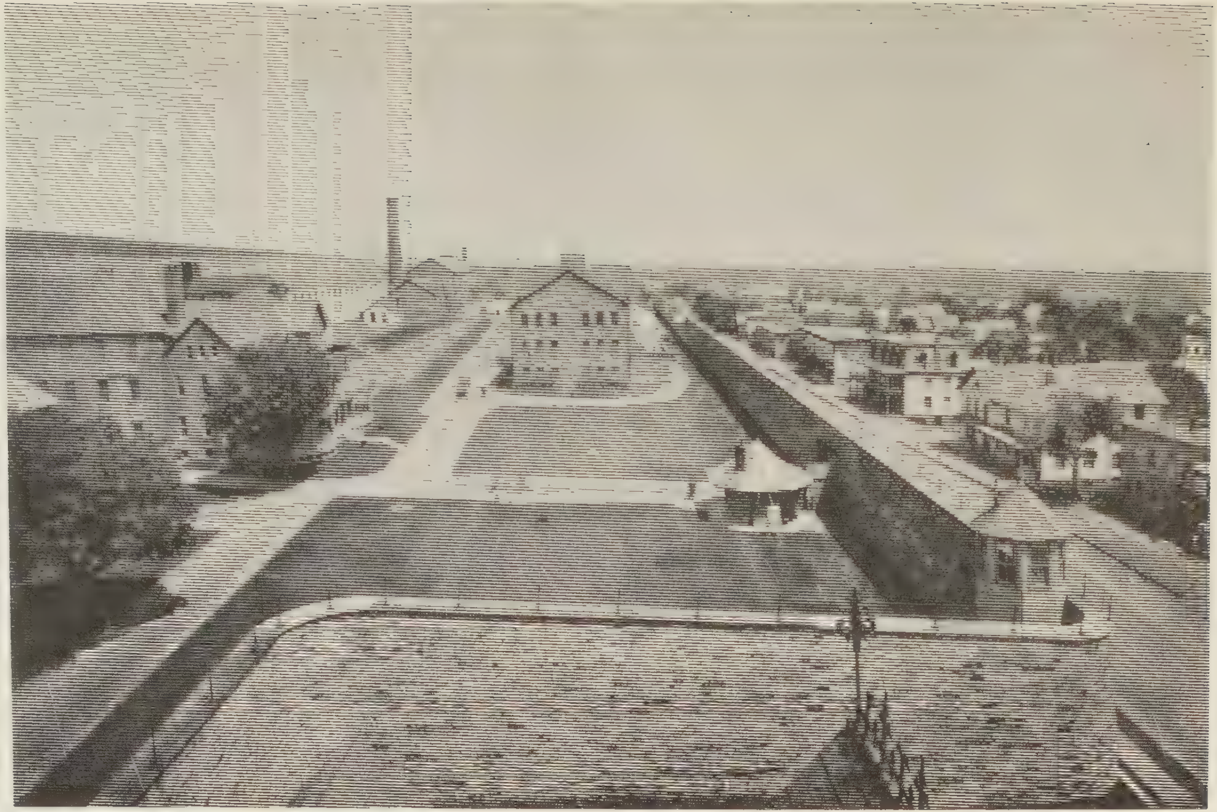
Everett said that the question of the proper mode of disposing of crime had been solved. A few years later Mr. Everett became governor of Massachusetts. His interest in the subject had not then abated, but it is very likely that he changed his mind about the speedy solution of this troublesome question.

*Among the foreign visitors who came to view the prisons a few years after the Auburn plan had been well established in New York, Massachusetts, Connecticut, and other states, and while the separate system was practiced in its entirety in Pennsylvania, were French commissioners, M. de Beaumont and M. de Tocqueville. Dr. Julius came from Germany about the same time, and William Crawford from England. All these made reports upon the respective merits of the separate and congregate systems.



State Prison at Dannemora, Clinton County, New York

effective. These changes will be described in detail in the summary of the present state of the prisons, and it is enough to merely note them here.

At first there was a rule of strict silence, but many years ago it became evident to all humane wardens that it was quite impossible to exact silence at all times in prisons where men were working close together all the day. In the beginning prisoners were not allowed to take their meals together. At the present time some of the largest prisons in the country have well appointed dining rooms where the prisoners eat together under the inspection of the officers. Other changes in the Auburn system as originally designed are the association of convicts for instruction in the chapel both during Sundays and week-days; the formation of schools for the teaching of such as are illiterate; and in some remarkable cases the assembling of all the convicts for general exercise at stated intervals.*

Some other changes have allowed a better separation than was possible in the beginning. The entire removal of insane prisoners to places especially provided for them, as in New York and Massachusetts and some other states, and detached hospitals for the treatment of tuberculosis, have generally improved the facilities for dealing with different classes. It is the opinion of all the progressive officials that a change to such methods as will enhance any reformative effect has not diminished the exemplary result.

There have been many notable changes in places of imprisonment but the improvement in the details of administration have been scarcely less important. It is a fortunate circumstance that the state governments have been able to enlist the services of public spirited citizens of ability and character in the supervision of the prisons. If the list of such servants could be published it would disclose the names of many persons who have been distinguished in the learned professions and have held high stations under the government.* In the winter of 1818, after a number of the convicts had been transferred to Auburn, the government was vested in a board of inspectors consisting of the original building commissioners with the addition of Archy Kasson and George Casey. By a constitutional provision, adopted in 1846, the prisons were placed under the charge of a board of inspectors to be chosen by the people at the general election. The system of administration by inspectors continued until 1877, when by a constitutional amendment the office of superintendent of state prisons was established. This officer was given the entire management and control of the three great state prisons of New York. The first superintendent was Louis Pilsbury, a man who, by experience and inheritance, was well fitted to organize the new system.† The second was Isaac V. Baker, who served one term and was succeeded by General Austin Lathrop, who served two terms. The present superintendent is Cornelius V. Collins, who has had a longer service than any of his predecessors. He has brought his department to a high state of efficiency and has introduced many important and beneficial changes in administration. A commission of prisons was created in 1904 and given certain powers of inspection and supervision over all prisons in New York; but to all intents and purposes the government of the state prisons remains vested in the superintendent, who appoints the principal officers.

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* It may be noted that some officials of long experience believe that these two plans could wisely be combined. Fifty years ago Warden Haynes of Massachusetts urged the erection of a building with large cells for the separate imprisonment of convicts who could not safely be employed in the associated workshops, and years afterwards his suggestion was renewed by Warden Russell, also of the Charlestown prison. It was not until 1894, however, that the legislature authorized such a building. It may be said here, to avoid any further reference to it, that the mere existence of this building has practically served all the purposes of its establishment. Very few prisoners have been confined in it except such as were under observation as to their sanity or were utterly incapacitated for work. The cells are large, light, and perfectly ventilated. During the time of overcrowding at Charlestown, these cells were used for well behaved prisoners.

In Massachusetts, the state prison was first supervised by visitors, then by directors and by inspectors for many years. It is now governed by a board of prison commissioners having the control and regulation of four state penal and reformatory institutions and the general supervision of all county prisons. This board consists of a salaried chairman and four unpaid associates. The chairman is the only paid prison official who is appointed by the governor of the state; and the board appoints the wardens and superintendents.

The prisons are often under the control of a board of directors having special charge of one institution. In some instances there is a board consisting of a commission of officials, sometimes including the governor of the state, who appoint the principal officers; and recently there has been introduced into a few of the larger western states the practice of putting all the public institutions under the charge of a board of control which appoints the principal officers.

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*On the boards of inspectors for Sing Sing was John Bigelow, once minister to France; an eminent writer who now, at the age of ninety-two, is president of a board in New York City that is engaged in the greatest library enterprise ever undertaken in any community. Mr. Bigelow was appointed inspector of Sing Sing by Governor Wright in 1844; and he prepared three reports of great value.

† Mr. Pilsbury was the son of General Amos Pilsbury, once warden of the Connecticut state prison and afterwards warden of the Albany Penitentiary. While serving at Albany he was in 1860 chosen to be superintendent of the first metropolitan police in New York. He divided his time between the two offices. Owing to a controversy with Mayor Fernando Wood, Mr. Pilsbury resigned the city office.

In one peculiar case, that of a leading state in the middle west, it is said that under the law the board of commissioners appoints the warden but the governor selects him. This is a reminder that the appointment of the wardens up to a comparatively recent period was often dictated by political considerations. The practice has been generally condemned as pernicious and this method of selection has been largely discontinued. It would not be the truth to say that all political appointments have been detrimental to the interests of the prisons. Some of the most successful wardens owed their selection to political consideration in the beginning and were afterward retained for professional qualifications. One remarkable instance is in a southern state where a political leader was put in charge of a great penitentiary. Immediately upon his accession to office, he spurned politics and devoted himself to strict public duty. For more than twenty years he has so managed the affairs of that prison that it is now a model in the way of economy, neatness and order. Those who are familiar with American affairs will readily identify him; and whoever reads this article will discover the location of the prison which is described in his own words.

The title of the principal officer of the state prison is generally warden. The few exceptions are New York, where he is known as the agent and warden; New Jersey, where there is a supervisor and also a keeper; North Carolina, Virginia, Vermont and Oregon, where the title is superintendent.*

In the early days the warden was appointed by the governor of the state. From time to time this method has been changed until now only a few are named in that way. As a rule, states do not go outside of their own borders for wardens, but in some instances boards of managers have solicited from other states the services of individuals who have gained high reputations for efficiency in prison work. A notable case of this kind is in Connecticut, where the wardenship is now held by a man who came to that state from Indiana. He had previously been in the service of Illinois and Minnesota. The present condition of the Connecticut state prison attests the wisdom of the directors in departing from an almost invariable rule dictated by state pride.

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* The office of warden is one of the most difficult stations in the public service, and men who have succeeded in that capacity are entitled to profound respect. So many of these are of conspicuous ability that it is not practicable to mention all who deserve high praise. The occasional references to individuals do not imply that other men could not be quoted with equal reason.

Wardens are often chosen on account of the efficiency they have shown in other branches of the public service. For example, the New Hampshire state prison which for nearly forty years has been noted for the excellent condition of its buildings and its rigid and severe discipline, is now in charge of a warden who was taken from the service of one of the cities. He has relaxed many of the severe features of the discipline without diminishing the good order of the place. The warden of the Maine prison came from the service of the United States and of one of the counties in that state. His service has been valuable and satisfactory. One other without prior prison experience is the present warden in Massachusetts. For some years before his time, escapes had been of frequent and startling occurrence, but in the nearly seventeen years of his wardenship there has been no successful break. He has kept the establishment in such good order that the prison has received strong commendation from many officials of other states. And one more case is that of the warden of the Washington state prison in Walla Walla, who had been at the head of the police in the largest city of that state in a period of unusual difficulty. In his present station he has won the confidence and esteem of all who know him and his work.

Upon the establishment of the New York prisons some attempt was made at classifying; and by an act passed in Massachusetts early in the last century a separation of the prisoners into grades was required. None of the first attempts proved advantageous, and after contract labor became general there was less desire for grading. Many officials declared that their main reason for preferring the congregate plan was that under it the prisoners could be employed to greater financial advantage. From time to time efforts were made to separate the prisoners into grades, but not much was accomplished until after the establishment of the first reformatory in New York. Then the movement became general and many features of the reformatory plan were engrafted upon some state prisons, as far as the inadequate buildings would permit. The new buildings will enable many progressive wardens to perfect their plans.*

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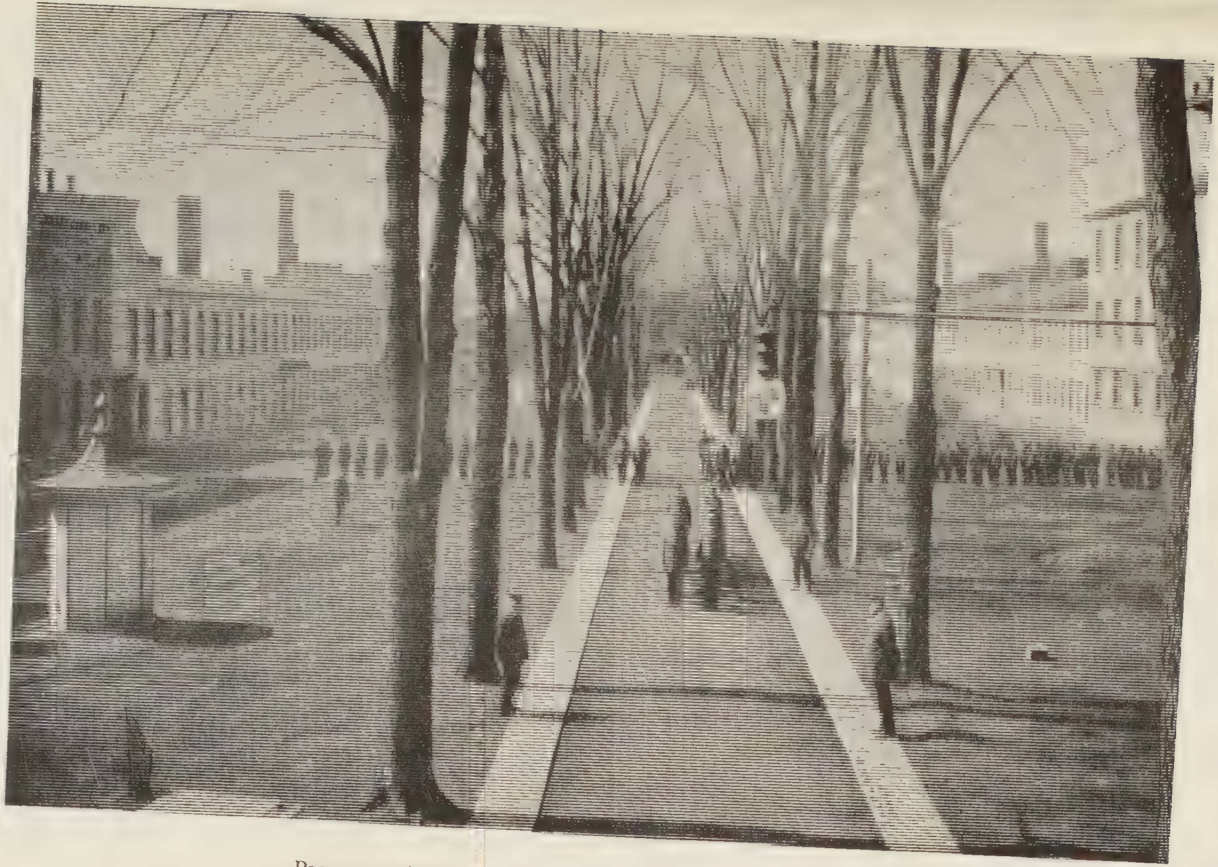
* In his report for 1889 Captain Edward S. Wright, long time warden of the Western Penitentiary in Pennsylvania, said: "As soon as the new building can be occupied it is intended that a system of classification, based upon the general features of the Elmira and Huntingdon reformatories, shall be introduced."



Prisoners Assembling in the Yard, Auburn, New York

For the purpose of obtaining reliable data for this article a circular was addressed to more than forty wardens in the United States, asking for information concerning the present condition of the prisons, history of the places, etc. Quite full replies were received from thirty wardens. In a few instances the answers were modified by the statement that records had been destroyed by fire. All the statements concerning present conditions are based upon these replies or upon official documents.

Many of the prisons have now a graded system which varies in the details of its application. The principles are alike. In the manual of the Michigan state prison the first rule for classification provides that: "Inmates of the Michigan State Prison shall be classified into three grades: *viz.*, first, second, and third; first grade being highest, second being intermediate, third, the lowest. Prisoners entitled to first grade shall wear suits made from cadet blue, suits and caps to be made in military style. Prisoners in second grade shall wear gray suits. Prisoners in third grade shall wear stripes." The manual of the Indiana state prison says: "First grade men shall be dressed in a gray suit and be entitled to the following privileges: to eat at the dining table to be known and designated as the first grade dining table; to write one letter the first and third Sundays of every month; to receive visits from friends once every two weeks; to receive one weekly paper and such letters and magazines as the warden may approve."

One noticeable case of grading is afforded in Wisconsin which in 1898 adopted three grades for state prison convicts. This seems to have been done out of deference to public sentiment, which had been strong enough to secure the establishment of the reformatory opened in that state about the same time the grades were applied to the prison.

Twenty of the prisons have already adopted a graded system.* One warden proposes to do it immediately and another replies that there is a law for it; still another says with emphasis that he believes in it. The keeper in New Jersey, who acts in the same capacity as warden elsewhere, says that the grade system has not been adopted, but he favors such a change. He adds that when he came to the institution the prisoners marched in lock-step, were dressed in stripes, and wore short hair. He says: "I made up my mind that I would at my first opportunity do away with all three, as I could see nothing but degradation in the whole business, and in so doing would try to make each prisoner feel that as long as he did his part he could have his hair; and as long as he obeyed the rules he would have the privilege of being clothed in a suit of gray." In his first report he recommended these changes and all the objectionable features were discarded. He says, "The effect upon the whole institution has been uplifting, to say nothing about the mother, the wife, the innocent children."

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* No building has yet been constructed and arranged with a view to a complete separation of grades, but this is likely to be the next step, for many of the wisest wardens believe that it is the logical sequence of present schemes of classification.

One report from a southern state is exceedingly interesting as showing the progress of public opinion in respect to grading. The warden writes: "This institution was established by the legislature in 1887 for the purpose of reforming youthful offenders and keeping them away from older and more hardened criminals; also to teach them and give them the rudiments of an education. The last legislature changed the name of the institution and took us out from under the penitentiary board."

An account of Newgate in New York, gives a description of the clothing for the convicts, by which it will be seen that the uniform was designed to serve the purpose of grading; and that the parti-colored dress was used for punishment, not for identification in case of escape. "The summer dress of the convicts consists of a jacket and trousers made of linen cloth of a brown color. The dress worn in winter is of the same form and color, and made of woolen and linen cloth. These clothes are all made in the prison. A clean shirt and trousers, and in the winter, stockings are given to each prisoner the last day of every week. Flannel shirts are generally furnished them, particularly to such as are of a weak constitution. If a convict is imprisoned a second time, he is distinguished by a dress of one half red and the other half blue."

Long ago and for many years it was considered essential that all the convicts should be clothed in a marked and conspicuous uniform in order to facilitate recapture in the event of an escape. No substantial departure from this plan was made in any prison until 1865, when the Massachusetts authorities determined to discard the parti-colored uniform. In the annual report of the inspectors of the Massachusetts state prison in 1864 they said:

"In regard to the dress of prisoners, we have felt that a reform might be made. A man tried and convicted of crime, and sentenced to the prison, feels a great degree of degradation. . . . . The parti-colored dress heretofore worn we have regarded as degrading, and calculated to drive his manhood from him,—the thing we most want him to retain. And as this dress is not deemed necessary for his safe-keeping (the fact being that no one absconding was ever detected by means of his dress) we have changed the parti-colored dress for one of a uniform color. . . . . It may be a question (which can only be settled by experiment) whether the parti-colored dress might not hereafter be used as a punishment for disobedience in place of solitary confinement." That report anticipated the present use of graded uniforms.

The superintendent of state prisons in New York wrote: "On the first of October, 1904, the prison stripe was abolished as the garb of first term prisoners, and on that day all of that class prisoners, 2200 in number, were furnished with new suits and caps of gray cloth. The coat, which is cut with a standing collar and fitted to the form, has steel buttons. The cap is of semi-military style."

In his report to the superintendent in 1906, Warden Benham of the Auburn prison said: "The introduction by yourself of the honor bar system during the past year under which the prisoners may, by good behavior, earn certain privileges, has been an incentive to good conduct on the part of the men and is highly commended by our officers as being of great assistance in the preservation of discipline."

Since the beginning of the twentieth century many prisons have discarded the stripes, and some wardens in the information which they have been kind enough to give for this article declared that it is their purpose to abandon the use of them. In some cases the stripes have been retained for especially unruly prisoners, but the plain uniform has been given to well behaved inmates.

The superintendent in Oregon says: "We adopted the plain gray suiting about three years ago. The prisoners are now dressed in this suit when received and are never clothed in stripes except as a means of punishment for some serious violation of the prison rules. After one year of perfect conduct in prison, a man is considered as promoted to first grade, which is distinguished by one black braid on the coat sleeve, to which an additional braid is added for each year of good conduct in prison." He adds: "We have never been able to separate our prisoners, but we attempt as best we may to classify them into grades for the encouragement of those unfortunates in maintaining better discipline."

In most cases the uniform is of a plain color. In some prisons it is made to correspond with the grades, and only in a few places are stripes still retained for all classes. It should be remarked that generally where the striped clothing has been abolished for well behaved prisoners, it is still used as a distinctive mark for prisoners under punishment for misbehavior. Many years ago the superintendent of the Vermont prison reported that in the exercise of his discretion he had changed the dress of the convicts to a parti-colored suit of black and red; and he said that he thought it would be a great benefit to the convicts to be dressed in a uniform that would be recognized as a prison uniform.

It is customary in graded prisons to place the prisoner in the middle class upon his admission. He then goes to better or worse as his behavior warrants. In Western Pennsylvania, unlike most other places, he is clothed in stripes at the beginning of his term, and is made to earn the plain gray uniform by six months of perfect conduct. If retrograded for misbehavior he is required to make a clear record for one year to regain the plain suit. The superintendent of the Virginia prison said in 1906: "I am of the opinion that some uniform other than stripes should be used for clothing 'first offenders,' or that there should be at least two grades of prisoners, classified in such a way that any prisoner could win promotion by exemplary conduct."*

In the beginning prison discipline was enforced by the lash, the shower, the sweat box and other inhuman devices which have all been discarded as a rule. When the first prison was established in the city of New York, there was a stringent regulation which forbade an officer to strike a prisoner except in case of necessity to enforce discipline, and this rule has been generally followed by all the states. To prevent cruelties of this or any other kind, it is generally declared in the regulations, and sometimes in the statutes, that prisoners shall have free access to the governing board by letter or interview; and this is the practice in all well regulated prisons.

Prior to 1857, the lash was used in Massachusetts, but in that year it was abolished mainly in consequence of a report of the committee of the legislature appointed to examine the state prison after the warden and deputy warden had both been killed within the same month in the preceding year. For well nigh fifty years it has been the settled policy of that prison that no officer shall strike a prisoner except in self-defence or to protect the interests of the prison.

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* As this paper is concluded there comes the sad intelligence that Captain E. F. Morgan, the superintendent of the state prison in Virginia, died at his home in Richmond, on December 4, 1909. Captain Morgan was an efficient and faithful official. He was honored and trusted in the community where he lived and enjoyed the respect and esteem of those who knew him elsewhere.

State Prison, Richmond, Virginia

Prison Yard, Richmond

The usual form of punishment for violation of the rules is confinement in a solitary cell, usually dark, and generally upon a diet of bread and water. Some statutes prescribe this diet, which must be adhered to unless the prison physician certifies that the convict's health requires more lenient treatment in this respect. The use of manacles or fetters is not general, and whenever this punishment is applied the method is to attach the handcuffs to the bars of the cell door so that the prisoner must remain in a standing position. This method is adopted for men in solitary confinement to prevent them from sleeping during the day time and remaining awake to disturb the prison by night. In most of the prisons deprivation of privileges and loss of marks are relied upon to secure compliance with the ordinary rules, and the more severe punishments are reserved for acts of violence or gross insubordination.

The disciplinary punishments do not vary to any great extent in nearly forty prisons whose reports have been consulted. Whipping is reported in only three places and the strait jacket is mentioned but once.* In some places where whipping is practiced, it is provided in the regulations that no minor officer shall inflict punishment upon a convict without permission from some superior officer who is authorized by the law or the rules to give the needed order. In Texas, for example, this rule is rigidly enforced, and any minor officer who exceeds his authority in this respect may be punished by dismissal or otherwise as the governing board decides.

It is the invariable rule in all well kept prisons in the United States that a careful record shall be made of all cases of punishment, giving sufficient details to explain the reason for the disciplinary treatment and supplying data for any inquiry that may be made about it.

Regarding the dietary, it can be said that prison officials as a rule agree in the theory that persons in restraint need more variety in food than would suffice to keep a free man in good health. This theory is framed from experience, and if the scope of this article permitted, many instances of severe general illness could be cited which were traced to insufficient diet. One typical instance occurred in the Charlestown state prison, where it was found that the frequency of mush diet was so irritating as to cause an outbreak of illness. But there are not many cases of insufficient diet in the prisons. Special attention must be paid to the quality of the food, as it would be quite adverse to interests of the officials to incur the risk of general illness from carelessness in this respect. That this consideration has prevailed from the first a note concerning the diet of the Newgate prison will show: "Diet: The food of the prisoners in Newgate, New York, in 1801 usually consists of, for breakfast, hot drink made of rye and prepared like coffee, sweetened with molasses, and bread made of equal portions of rye and Indian meal; a dinner of soup composed of ox-head and offals, with potatoes and bread; and a supper consisting of mush (hasty pudding) and molasses, or of Indian pudding and molasses. The soup sometimes consists of pork and peas. From the tenth to the sixth month they are furnished with potatoes. In the seventh, eighth and ninth months, soup made of clams, or codfish and potatoes, are given them every other day; as it has been long found that a constant diet of fresh provisions produces several disorders during the warm season. Two later typical dietaries will be sufficient to indicate the quality of the food. One of the prisons in New England, in 1865, gave on Tuesday: for breakfast, meat hash, brown bread and coffee; dinner, beef soup and brown bread; supper, white bread and coffee. On Thursday: for breakfast, meat hash, brown bread and coffee; dinner, baked beans and pork, and brown bread; supper, white bread and coffee. On other days about the same bill of fare was provided, with variations as to meat, etc. In the state prison of one of the middle states, according to a late report, the dietary on Sunday for breakfast is bread, molasses, coffee, milk and sugar; dinner, pea or bean soup and bread; supper, bread, molasses and coffee. During the week this is varied, as for example on Wednesday, when the bill of fare is, for breakfast, stewed prunes, bread, coffee and milk; dinner, corn-beef, cabbage, bread and potatoes; supper, bread, molasses, coffee, milk and sugar. In most of the large prisons of the present day the prisoners take their meals together; and this is one of the modifications of the original Auburn system.

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* In the report of the Virginia penitentiary for 1907, the surgeon says that the usual form of punishment of the penitentiary is whipping. The person to be punished is laid over a barrel and some one holds his head and shoulders while another holds his feet. The whipping is given with a broad leather strap. The surgeon approves this punishment, but disapproves bread and water or solitary confinement.

Smoking is permitted under stringent regulations in some prisons. The privilege is granted daily in some instances, and in others it is restricted to holidays or special occasions. The use of tobacco in other form is allowed in a number of places. In nearly all the prisons well behaved prisoners have the privilege of receiving visits from their friends at stated intervals. All visits take place under the

The Warden's Visit to a Day School in State Prison

observation of officers but it is not a general rule to interpose a screen or barrier between visitor and prisoner. Many wardens have disapproved visits of mere curiosity, and in some places access to the prisons is not as easy as formerly. But the desire of the public to see the prisons is not readily restrained. On this subject Superintendent Morgan of Virginia says: "I want to call your attention to my recommendation in former reports; that no person, other than those allowed by law, be permitted to visit the shops or the interior of the prison. It is not the purpose of this recommendation to prevent the relatives of the prisoners visiting them at stated intervals, as provided for in our rules, but to eliminate the morbidly curious. I feel that it is wrong to inflict further humiliation upon the prisoner by subjecting him to the gaze of this class."

It is the custom to allow books and magazines from the outside, but in some places these may not be sent by friends but must come directly from the publishers. This precaution is to prevent the introduction of drugs through concealment in books. Most of the prisons have well selected libraries that are suited to the capacities of the prisoners and adapted to the requirements of the educational features of the place. New York, Massachusetts, Illinois, Indiana, Iowa and all the larger states have such collections, and in Connecticut where the number of books is in greater proportion to the number of prisoners than elsewhere, much attention has been given to the arrangement and classification of them. Prisoners are permitted to write letters at regular times and may receive letters from their friends. All these communications pass under the eye of the officers and anything objectionable causes the letter to be withheld altogether.

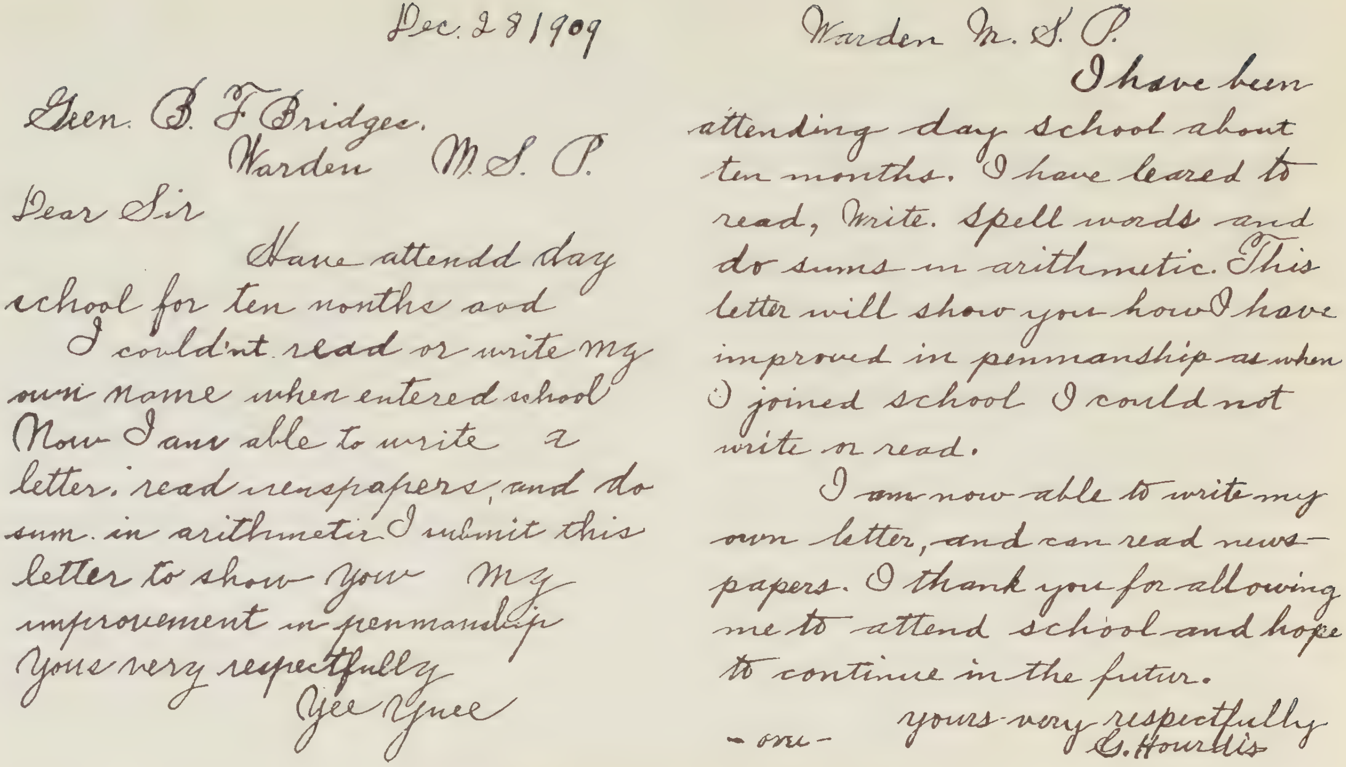
Attendance at school, where one is established in a state prison, is not compulsory as it is in the reformatories. It is therefore proper to mention this incident of prison life under the head of privileges.

For a great many years it has been the custom to supply books for general reading to the inmates of the state prisons, and long ago they were given facilities to pursue some studies in their cells at night. Then came the night school for the illiterates, where the prisoners were given instruction in reading and writing and other rudimentary branches of the ordinary common school education. Without great research it would be impossible to determine just where the night school originated. The first evening school of which any account appears in the New York reports, was opened in January, 1884. It began with eighty-three pupils, and Warden Brush, in his report for that year, says that the scholars were taken from those who could not read and write. He found that most of them continued their studies in their cells, and that the influence of the school was beneficial in promoting quiet and order. The teachers were two convicts who had some experience in teaching before they went to prison. The warden adds, "I consider our school a great success and it should never be discontinued." He suggested that a proper school room should be built and fitted up for use instead of the chapel, which was not quite convenient. Since that time the schools in the state prisons of New York have been maintained with great regularity, and the present superintendent of state prisons has been especially interested in advancing their efficiency.

Prior to the establishment of the evening school where the prisoners were drawn into classes, instruction was given from cell to cell. The chaplain of Clinton Prison in the report of 1877 said: "Our system of instructing those who cannot read or write continues to work well. The two teachers employed go to the cells every evening and give private instruction to each man in need of it. Many who were entirely ignorant when they came here, have learned to read and write and show a thorough appreciation of their privileges."

More than twenty years after this, the chaplain of Clinton Prison in referring to the schools says: "We do not advertise to give our pupils a liberal education, but we do undertake to give to those who improve their opportunities a fair outfit for practical life. Six men have been employed as teachers during the year." Occasional references are made to the school in the reports year by year, and in 1905, Mr. Collins, superintendent of state prisons, says: "Under the direction of the state commissioner of education, who kindly consented to co-operate with the superintendent of state prisons, a practical, comprehensive system of education for prisoners has been arranged and will be put in force about October, 1905. Four suitable school rooms have been provided at each prison. A head teacher has been appointed at each place, who will be assisted by the convict teachers. The design in the beginning was to limit this privilege to the utterly illiterate, or those who were still deficient in the rudimentary branches."

In the following year Mr. Collins reports that twelve hundred prisoners attended an hour and a half every day except Sundays and holidays. He anticipated great results in a reformatory way, and from subsequent reports it appears that his anticipations



Dec. 28 1909

Geen. B. F. Bridges.
Warden M. S. P.
Dear Sir

Have attendd day school for ten nonths aod I could'nt read or write my own name when entered school Now I am able to write a letter. read newspapers, and do sum. in arithmetic I submit this letter to show you my improvement in penmandip

Yous very respectfully
Yee Ynee

Warden M. S. P.

I have been attending day school about ten months. I have leared to read, Write. Spell words and do sums in arithmetic. This letter will show you how I have improved in penmanship as when I joined school I could not write or read.

I am now able to write my own letter, and can read newspapers. I thank you for allowing me to attend school and hope to continue in the futur.

-one- yours very respectfully
G. Hourtlis

LETTERS WRITTEN BY PUPILS IN THE PRISON SCHOOL were fully realized.* In 1908 he reported the number of illiterates entering the school as increasing. The percentage of foreigners seems to be larger, especially in Sing Sing, where more than fifty per cent of the school attendance is made up of Italians. These schools cost the state very little money, as the only outlay was for the single supervisor and the necessary text-books.

An excellent school has been kept at the Illinois penitentiary. In the report of 1898 the chaplain says: "The work of the teachers and the scholars was marked throughout the season of nearly six months by strict attention, steady progress and the best of order, and many of the primary class scholars, practically illiterate at the beginning, progressed so far before the close of the season that they could read and spell fairly well, and write well enough to write letters to their friends."

There is also a night school in the southern penitentiary of Illinois at Chester. The instruction is confined to illiterates. In the last report the chaplain suggests that in view of the excellent results already attained, there should be a good school room with a paid teacher and some day sessions.

In the Western Pennsylvania prison there is a paid teacher who devotes his attention to a day school that even twenty years ago had one hundred and fifty pupils. No school for classes is practicable in the Eastern Penitentiary of that state, but separate instruction is given in the cells. The methods of the Western prison have been in operation for a long time. The report of 1878 contains a detailed account of that work and its results in individual cases.

In the Ohio penitentiary, prisoners are kept busily employed during the day. In 1884 a night school was established by Warden Petrie, and it has been in successful operation ever since. There is a staff of twenty teachers selected from the educated prisoners who give instruction under the direction of a paid officer. Some extra privileges are given to the convict teachers in consideration of their services. Advanced studies are pursued in this school, and it is not at all confined to illiterates.

There is a night school in the Indiana state prison which has been maintained many years for the purpose of teaching reading,

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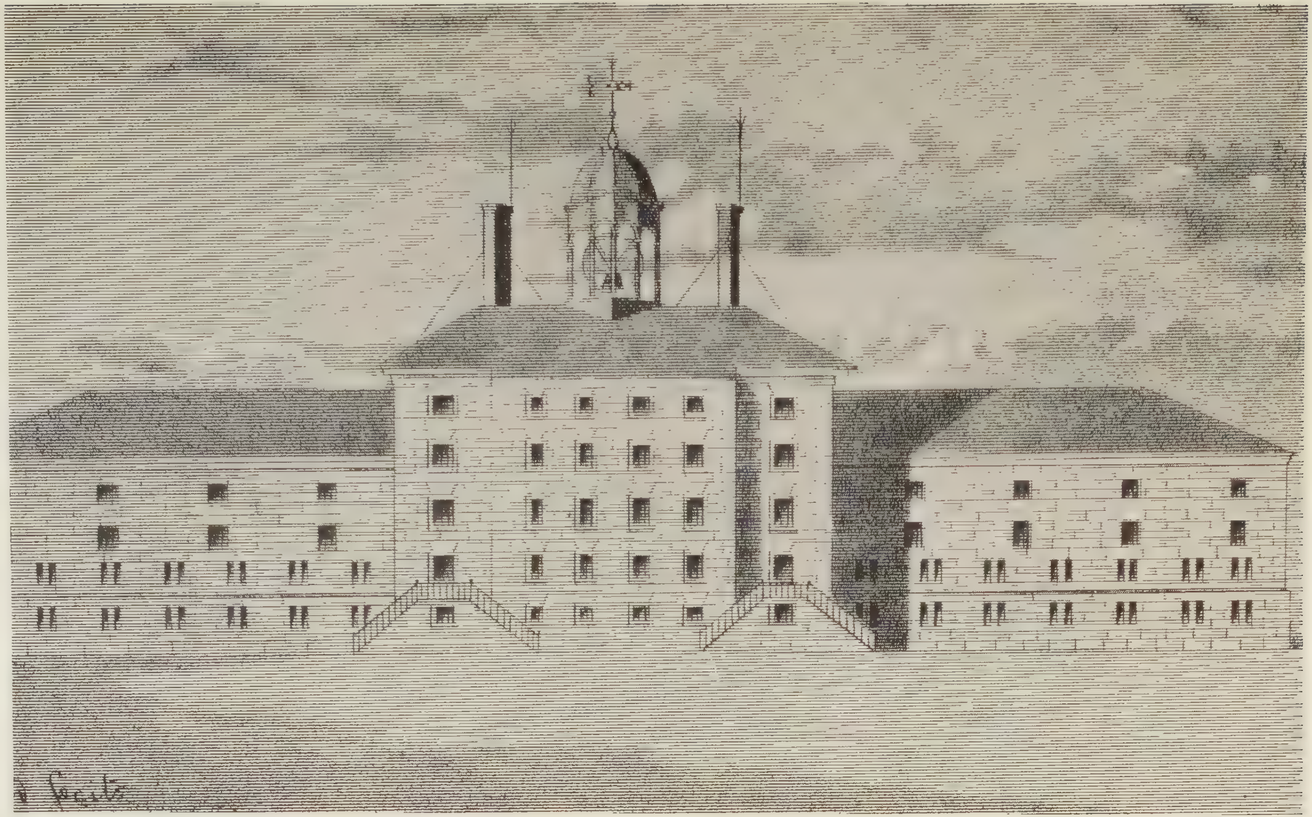
* It would perhaps be difficult to convey to any casual reader an appreciation of the delight that is expressed by the illiterate prisoner when he first experiences the happiness of communicating with his friends in writing. It is needless to say that this privilege is not intended to be a palliative of the prison conditions but only one of the reformative agencies that have been introduced for the purpose of furnishing the means to the well disposed man of reforming himself.



STATE PRISON, CHARLESTOWN, MASSACHUSETTS, IN 1805

The original building, rearranged and extended, makes one wing of the present establishment

writing and some other elementary branches. No recent report of this school is accessible, but it has been well described and favorably mentioned by the officials in past years.

The Massachusetts state prison has for many years provided instruction for illiterate prisoners, and in the time of the present warden the day school has been brought to great usefulness. Besides this, under the direction of the chaplain and with the warm encouragement of the warden, a system of instruction similar to that of the Chautauqua school has been established. It would be entertaining if the entire story of this correspondence school could be told here, but space does not permit more than a brief reference to it. Summarizing a description prepared by one of the teachers (who is a prisoner) it appears that within a few days after a prisoner is committed, he is interviewed by one of the teachers, and given an application blank containing full information concerning the school and its work. If he desires to join the class and devote his time to improving himself mentally, he fills out the blank and sends it to the school office. If there is doubt as to his fitness to pursue the studies he selects, the teachers will give him an examination in elementary subjects. If it appears that he can properly engage in the work of the correspondence school, he is furnished with the materials, including the lesson sheets. His answers are submitted to the teachers who carefully examine and correct them and assign him new work. As a means of carrying out the plan systematically, a teachers' association was formed that meets with the chaplain at stated intervals to prepare the lessons and arrange the other details of instruction. No prisoners are assembled in classes, but all examinations are made from the papers. In the warden's report for this year he says: "I have referred to the educational system, but I feel that I must make especial mention of the earnest, faithful corps of workers. The teachers, who are all inmates, devote themselves so thoroughly to the work that they appear to draw their pupils to them as though with a magnet. No person not a witness could realize the great progress the pupils make in their studies, the great improvement in their deportment, and the contentment it brings them—it is one of the strongest, if not the strongest, factor for good we have in the prison management." The chaplain in his latest report describes the unusual educational advantages of that place and commends them as a means for moral improvement.

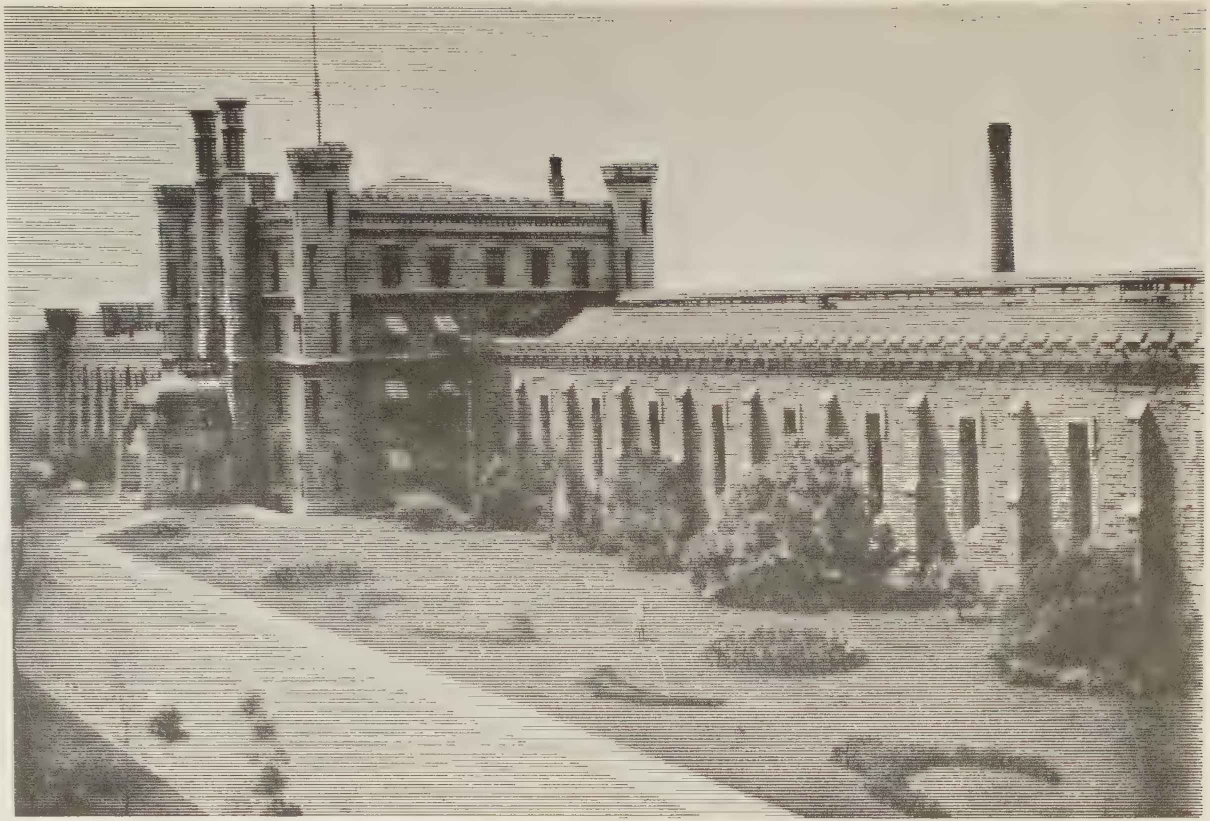
If time and place would allow, many other schools could be described, but those that are mentioned are typical and representative. In most places the schools are under the charge of the chaplain. In some prisons there is a school officer who has the special direction of this department.

In all the congregate prisons there are religious services in chapel on Sunday, and in many places the prisoners are brought together in groups for religious teaching at other times. This has always been a feature of the so-called congregate system. At the Eastern Penitentiary the prisoners are not assembled for religious services but the exercises are conducted by the minister from the rotunda and within hearing of all the prisoners.

The subject of prison industries is ably treated elsewhere in this volume and it is only necessary to refer to the subject here by saying that in most congregate prisons systematic employment is furnished in associated workshops.

At the beginning of the Auburn system it was considered almost an indispensable feature that the prisoners should march in lock-step, to which reference has already been made in the account of the enterprise of Captain Lynds at Sing Sing. But since the methods of supervision have been so greatly improved, and it has been found that prisoners can be governed with less severity than was then considered necessary, this part of the system has been somewhat modified, and in many prisons it has been quite abolished. In his report to the superintendent of state prisons in 1900, Addison Johnson, warden of Sing Sing prison, said: "Under your recommendation, the military step has been substituted for the lock-step for the first term convicts, and although in operation but a short time the results have been very satisfactory." In the same year J. Warren Mead, warden of Auburn prison, said: "Complying with your suggestion, I have ceased to have the prisoners of the 'A' grade marched in the old formation with lock-step when going to and from the shops, and am now marching them in open military formation of double ranks, the 'B' and 'C' grades alone being marched as before with the lock-step. The change I believe to be a beneficial one." In the report of the Joliet prison for 1900, Warden Murphy says that it gives him pleasure to state that the plan of abandoning the lock-step and allowing the prisoners to march two abreast in military style, had been entirely successful and the good effects are plainly seen in the improved conduct of the men.

Long before it was decided that the lock-step was not essential to safety, some wardens made the experiment of allowing the con-



ILLINOIS STATE PRISON, JOLIET

victs to assemble for general exercise and recreation. Gideon Haynes, who was warden of the state prison in Charlestown, Massachusetts, for fourteen years, wrote an historical sketch of that prison towards the close of his administration. In one of the chapters he thus recites the experience of the first prison holiday on July 4, 1864: At ten o'clock in the forenoon the prisoners were assembled in the chapel for the usual services. At eleven o'clock they were marched into the yard and formed into a hollow square in the center of which was the warden. He made a short address telling them that he proposed giving them an hour's liberty during which they were to have the privilege of enjoying themselves in any proper way, with the simple restrictions that they were not to enter the workshops nor pass behind the line of buildings. He continues:

"Up to this moment, no one on the premises, save the deputy warden, knew my intention. For a moment all was silent. The shout that then burst from those four hundred throats, the delirium of delight into which they were immediately plunged, at once relieved me from all fear as to the result. They shook hands, embraced one another, laughed, shouted, danced, and cried: one of them caught up my little boy, rushed into the crowd, and I saw no more of him till the bell called them to order. . . . . At the first stroke of the bell every voice was hushed; silently and quietly they fell into line in their respective divisions, and save the flush of excitement and the animated expression which flashed from the eyes of all, giving them more the appearance of the men God created in his own image than I had ever seen in that place before, they, in their usual good order, passed to their cells."

In the report of the Joliet penitentiary for 1877, Warden McClaughry said: "On the 4th of July, 1875, the prisoners were permitted—for the first time in the history of the prison—to have the freedom of their respective cell house for a couple of hours, on condition that they should not abuse the privilege. There they talked, laughed and sang, engaged in athletic sports, and improvised minstrel performances to their hearts' content, while the occasion was enlivened with instrumental music by the Wheaton cornet band and splendid vocal music by Mr. and Mrs. P. P. Bliss of Chicago."*

Concerning recreation it is said from Oregon: "We have a half holiday on Saturdays and during the season have a game of ball after the men are shaved and bathed. For trivial violation of the rules they are prohibited from attending these games. During the games those in attendance are permitted to talk and cheer the good plays."

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* Mr. and Mrs. Bliss were burned to death in the dreadful railway disaster at Ashtabula on December 29, 1876.

In many other places the prisoners are allowed to assemble for exercise and recreation, and there is no recorded instance of any disorder arising from this practice. It is said that after the prisoners who escaped from the Richmond prison when the city was burned in 1865, were returned to the prison, they were occasionally permitted the liberty of the yard.*

Responding to the circular addressed to them last summer, a majority of the wardens replied that although the silent system is nominally in effect it is not in force as rigorously as in the old days. All but nine qualify the answer by the words "it is enforced as nearly as possible." In two cases it is emphatically asserted that no talking whatever is allowed. The exceptions are prisons where work is done outside of the enclosure in cultivating the land, or otherwise.†

The warden of the Eastern Penitentiary in reply to a question, says: "We do not in any way have the silent system but keep prisoners from contact with each other as much as possible. Have this year adopted the grade plan for use solely in the parole system but there is no difference between the grades in respect to privileges." The warden of the Michigan state prison says that silence is required in the chapel, dining room and cell house, but that he does not attempt to enforce the silent system in the shops.

Replying to the question, "Are the prisoners kept in separate cells?" twenty wardens replied, "Yes," unequivocally; six replied, "No"; two said that there were two in a cell, and a few others added that the cellular separation which was intended, had been prevented by overcrowding.* It will be of interest to note that the original cells at Auburn were 7 feet long, 3½ feet wide, 7 feet high—all of stone—iron doors, open diamond grating. The Walnut Street prison in Philadelphia contained rooms 20 by 18 feet. The Eastern Penitentiary has rooms 18 feet long by 8 wide. The new cells made in Charlestown are 9 by 6 feet, and cells in Allegheny prison are 8 by 7 feet. It is probable that the average dimensions of prison cells are eight feet long and six feet wide.

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* In describing the scenes at the burning of Richmond on April 3, 1865, a writer says: "Into this pandemonium of fire and license there came one additional terror to fill up its dramatic completeness. 'About ten o'clock,' writes one eye witness, 'just before the entrance of the Federal Army, a cry of dismay rang all along the streets which were out of the track of the fire, and I saw a crowd of leaping, shouting demons, in party colored clothes, and with heads half shaven. It was the convicts from the penitentiary, who had overcome the guard, set fire to the prison, and were now at liberty. Many a heart which had kept its courage to this point, quailed at the sight. Fortunately they were too intent upon securing their freedom to do much damage.' " (Abraham Lincoln. A History. Vol. 10, p. 205.)

† Among the states that have made extensive experiments in the employment of felons outside of an enclosure is Colorado, where there is what is called a model penitentiary camp. In this place there are no stockades nor barbed wire entanglements, no armed guards or punishment of any kind, ninety convicts being placed upon their honor by Warden Cleghorn. A report says: "The establishment of this camp is unique in the history of penal institutions and marks the dawn of a new era in criminal reform." In some respects this camp may be unique, but the practice of placing well behaved prisoners on their honor is not unusual and in most cases the confidence is not abused.

The Eastern Penitentiary replied that theoretically the prisoners were kept apart. Nearly all the places report that prisoners were employed in workshops during the daytime. The exception to the rule is Arkansas where farming operations are carried on; California with stone quarry; Fort Madison, Iowa, where there is a farm; Pennsylvania, solitary work in cells; and Alabama also with a farm. In Virginia the prisoners are employed in large workshops generally, but there is also a state farm under the control of the prison board.

While the congregate system as described in this article is generally admitted to have originated in Auburn, and the plan of separate imprisonment adopted in Philadelphia is known even beyond the seas as the "Pennsylvania plan," several reformatory features that have been engrafted on these systems are not of American origin. The parole or permit system came from Australia, where it was adopted as an expedient by the British government in the exigencies of the transportation scheme. Captain Maconochie, the humane governor of Norfolk Island, was the author of the "marking system." And the first suggestion of the indeterminate sentence came from France, although it has been claimed that it was mentioned in England about the same time. Sir Walter Crofton, who developed the Irish system, gave many lessons in prison administration that have been widely copied.

Commutation for good conduct was adopted gradually, and without close investigation it could not be determined where it originated. Massachusetts adopted it in 1857, and many other states followed. In any event the idea could not have secured a patent for novelty and originality because it was simply an application of the principle of the ticket-of-leave, and only a variant upon that form of enlargement.

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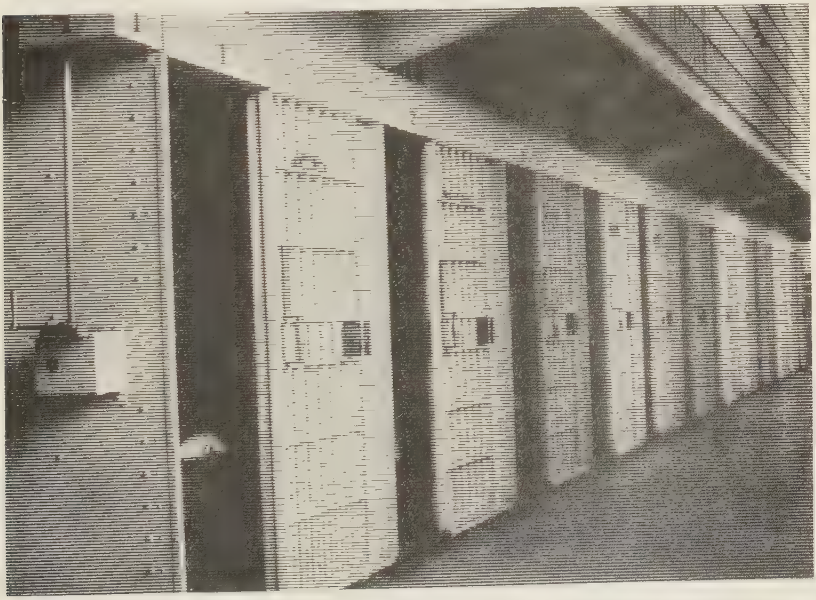
*Cellular imprisonment was tried in Belgium before Pennsylvania made the first application of this principle to a large prison. The Auburn congregate system which comprises separation by night and at meals; association at work but in silence, and wherever men marched in groups; the lock-step with hand upon shoulder and faces inclined to the left, is of American development, and owed its origin, as already noted, to Captain Elam Lynds.

In nearly all the large states there is provision for the remission of the sentence otherwise than by the granting of a pardon. This method of release is generally described as the parole system. It varies in the details of its operation, but in principle it is alike in all communities and is based upon the theory that a prisoner may show by his conduct and industry and through observation by the prison officials that he intends to lead an orderly and correct life. In other words, he shows that he is legally reformed, and when this result is apparently accomplished, and it is judged that the exemplary purpose of the penalty has been sufficiently served, it is believed that the community will take no detriment if the prisoner is allowed to serve the remainder of his sentence on the outside. This he is permitted to do on certain conditions, the principal one of which is that he shall violate no law. There are other regulations and usually a requirement for a monthly report of conduct. This report is sometimes made to the prison officials themselves, sometimes to the local authorities and in one state recently the law has prescribed that the report shall be made to the sheriff of the county. The provisions for the assistance of discharged prisoners are recounted in another part of this book, and therefore no attempt is made to describe them here. It is only necessary to remark that in most states there are agencies both public and private which give great attention to this most useful phase of reformative work.

In concluding this account it may be observed that despite the lack of central authority covering all the prisons as under an imperial government, a great degree of unanimity has been shown in seeking for improvement. Administration has been made more efficient and useful by the elimination to a large extent of the political influences that in early days affected nearly every prison. In many instances legislatures have confirmed the judgment of prison officials, and have declared a purpose to abate the evils of overcrowding by the creation of new establishments or the expansion and rearrangement of the old ones. Inside the prison itself, the changes have been of no less consequence. The parti-colored garb, once considered to be indispensable, is now used with discrimination in most places, or discarded altogether; the practice of moving prisoners in the lock-step has been modified everywhere, and in some places wholly abolished; inducements to good conduct, not simply to pur-

Cell in Connecticut State Prison

Cell in Auburn Prison



Corridor in Connecticut State Prison

chase obedience but to cultivate habits of order, have largely displaced the old methods of personal chastisement and the dungeon; and privileges unknown in the beginning have been accorded to the prisoners as a means of self-amendment. Such of these changes as can stand the test of time will become general, and by comparison and discussion all the authorities will reach a common ground.

This paper is closed with the reflection that the American Prison Association has been a great factor in bringing the minds of men together and turning their attention to the best plans in all the states; in the same way that the International Prison Congress has ministered to the cause of humanity by searching out and disclosing the most beneficent features in the penal codes of all civilized nations.

IV

THREE PRISON SYSTEMS OF THE SOUTHERN STATES OF AMERICA

By A. J. McKELWAY, D.D.

Secretary for the Southern States of the National Child Labor Committee

THE "Southern States" include the territory lying south of Pennsylvania and the Ohio River, with the states of Arkansas, Oklahoma and Texas west of the Mississippi. The three prison systems discussed are the convict lease system, the public road system and the prison farm system, the latter being the chief development of the public account system in the South.

Six systems for employing convicts in the United States are recognized:

1. The lease system, under which the lessee has more or less control of the convicts, paying a price to the state for the use of the convicts under state regulations.

2. Near akin to this is the contract system, under which only the labor of the convicts is let to the contractors, generally within the prison walls, the state retaining the entire control of the discipline.

3. The piece-price system, under which the direction of the labor of the convicts is also retained by the state, the contractors paying a fixed price per piece for the labor.

4. The public account system, under which the whole employment of the convicts is directed by the state, and the products of their labor sold for the benefit of the state.

5. The state use system, under which the articles produced by convict labor are used only in supplying and maintaining the institutions of the state.

6. The public works system, under which convicts are employed in the construction and repair of public works, streets and public roads.

All of these systems are in vogue in the southern states, and sometimes all of them in one state. Two classes of convicts are generally recognized by the laws of the southern states; the felony convicts, or state convicts, and the misdemeanor convicts, or county convicts. A further distinction is often made between felony convicts serving a five-year term or less, and convicts serving more than five years or for life.

In former times the misdemeanor convicts were imprisoned in the county jails under county supervision, while the felony convicts were sentenced to the state penitentiary. This distinction has given rise to many abuses, with the change from the county jail system to the lease system or the public works system. The impression has prevailed that the misdemeanor convicts are the property of the various counties, during their term of imprisonment, and are not under the direct control of the state authorities, except as regulated by the general law. In some states the abuses have been great in the treatment of the county convicts, where the felony convicts, under direct state control, have been subject to more advanced methods of dealing with them, and are more humanely treated. A grave problem before many of the southern states is the extension of state control and direction to the county convicts.

The systems adopted by each of the southern states are as follows:

Maryland.—County convicts are controlled and their employment directed by the county commissioner; state convicts employed under the state use and the contract system (nearly all under the latter).

Virginia.—County convicts are controlled by county authorities unless requisition is made for them by the state highway commission. State convicts are under the lease, contract, public account, and public works systems.

West Virginia.—County convicts are employed in workhouses, under the direction of the county court. State convicts are under contract, piece-price, public account, and state use systems. Convicts may be temporarily hired out.

North Carolina.—County convicts are under control of county authorities, and are employed mainly on county roads. State convicts are employed under lease, public account, state use and public works systems.

South Carolina.—County convicts are under control of county authorities. State convicts are under the contract, public account and public works systems.

Georgia.—County convicts work mainly on public roads under control of county authorities, and under supervision of the state prison commission. State convicts are under the public account, state use and public works systems. The contract system is authorized for convicts not otherwise employed.

Florida.—County convicts are leased by county authorities or work on county roads. State convicts are under the lease system.

Alabama.—County convicts are employed in the county of conviction under control of county authorities. Those employed in other counties are under state control. State convicts are under the lease, contract, public account, state use and public works systems.

Mississippi.—County convicts work on farms or roads under control of county authorities. State convicts work on the public account system (the state farm).

Louisiana.—County (parish) convicts are employed under control of county (parish) authorities, and may be leased. State convicts are under the public works system (on levees) and public account (state farm) systems.

Texas.—County convicts are employed on county farms and in workhouses under control of county commissioners. State convicts are employed on lease, contract, public account and public works systems.

Kentucky.—County convicts are employed on public roads or leased by direction of county authorities. State convicts are under the contract system.

Tennessee.—County convicts may be employed on roads or in workhouses. State convicts work on the lease, contract, public account, public works systems.

Arkansas.—County convicts are employed on public works, or on lease or contract systems, by direction of county courts. State convicts are under public account and public works systems.

Oklahoma.—Public works system only.

I

THE CONVICT LEASE SYSTEM

The leasing of convicts, whether to corporations or individuals, is a system which has been abolished by some of the southern states, but which still obtains in others, accompanied, as it always has been, with indefensible abuses.

At the outbreak of the Civil War about 200 felony convicts were confined in the penitentiary at Milledgeville, Georgia. There were no negro convicts, the discipline of slavery sufficing for all crimes save capital offenses. The penitentiary buildings were destroyed by General Sherman during the closing days of the war, the prisoners having been gradually released during the war on condition that they enlist in the Confederate army. One of the first questions confronting the new civil government, established by the people of Georgia, immediately after the war, was the disposition of the Negro criminals, who began to increase in number during the days of license which were the immediate consequence of the abolition of slavery. A number of crimes, formerly felonies, were reduced in grade to misdemeanors in a spirit of leniency to the ex-slaves. With the passage of the Reconstruction acts the state government was abolished, and General Ruger, of the Federal army, placed in control of the government. He found a pressing problem in the increasing number of criminals, the depleted revenues of the state, and the destruction of the penitentiary building. He made the first convict lease, $2500 being paid for 100 convicts for a year. In 1869 General Ruger's successor, Governor Bulloch, leased 500 convicts to a firm of contractors. The legislature of 1871 authorized this lease, made without the authority of law, and in 1876, a twenty-year lease of the convicts was ordered.

The legislature of 1897–98 established a state farm at Milledgeville, Georgia, where juvenile offenders and some of the women, the aged, the sick and the feeble-minded, were confined, but it continued the lease system for another period of five years, the convicts now numbering 2,000 and the price paid being $100 each a year.

There were always protests against the system, especially after the time when it became thoroughly commercialized and every consideration save that of private gain or public revenue was lost sight of.

In 1903 a five-year lease was again authorized, though the convicts serving a five-year term or less were sent to the counties to be worked on the public roads. This time, under competitive bidding, the convicts brought an average of $225 per year. The lease of 1904 terminated April 1, 1909, and the system ended with this lease, by an act of the extra session of 1908 called by Governor Hoke Smith, after the regular session had failed to act in spite of the revelations made before the legislative committee of investigation.

A full discussion of the abuses which seem to be a necessary part of this system is to be found in the volume of the American Prison Association of 1908 (The Convict Lease System of Georgia). The inherent wrong of the system is the delegation by the state to individuals or corporations of the power to punish crime by hard labor. The system as organized in Georgia seemed to give some protection by the state to the criminals against the greed of the lessees, whose interest, of course, lay in getting the greatest amount of work out of the convicts. A prison commission of three members had entire responsibility and authority. A state warden was employed for the inspection of both the felony and misdemeanor camps. A general inspector and an assistant inspector were also employed for the same business. At each convict camp there was a warden, a deputy warden, a camp physician and a sufficient number of guards, all employed by the state. The inspection of the camps, through this machinery, proved to be absolutely worthless.

The members of the prison commission testified that they left the examination of the monthly reports from the prison camps to the clerk of the commission; the clerk testified that he did not have time to read these reports and that he trusted to the reports of the inspector and the assistant inspector; the inspector proved to be a man seventy-three years of age, entirely incapable of doing the work assigned him. He admitted on the witness stand that he had trusted to the reports of the camp wardens, while the wardens, from the state warden down to those employed at the camps, and even the guards, were proved to be employed by the convict lessees, as well as by the state. Even some of the camp physicians were in the pay of the lessees. The system was found to be a refuge for incompetents, assigned to their positions through political influence.

There was gross mismanagement and nepotism at the state farm, where the sick, the aged, the infirm and feeble-minded prisoners were supposed to be cared for. It was the boast of the superintendent that he had made this farm self-supporting, through such labor, and some of these prisoners, by a special act of the legislature, were permitted to be leased to private parties, for farm work. The convicts were worked in the mines, brick-yards, lumber camps and in the turpentine industry. The revelation of the cruelties practiced, and the abuses which abounded under the system, led to its abolition in Georgia.

I make bold to affirm that these abuses, such as were found to exist in Georgia upon sworn testimony and the forced admissions of those in authority, will be found to exist, in greater or less degree, in every state where the convict lease system still prevails.

As a noteworthy instance of the persistence of this system, take the state of Florida. All the convicts except those incapacitated to perform labor or in need of regular medical attention, are employed under the lease system either in the phosphate works or in the turpentine industry, and a convicted criminal, in popular language, is said to have been "turpentined," meaning, sentenced to hard labor.

It is the opinion of some of the best informed people of the state that these convicts are humanely treated in spite of the evidence to the contrary that has come from a few camps where investigations have been made, but the system of handling convicts in Florida does not seem to have been so well organized, as far as the protection of the convicts by state authorities is concerned, as was the case in Georgia.

The Constitution of Florida provides that:

"The Commissioner of Agriculture shall perform such duties in relation to agriculture as may be prescribed by law, shall have supervision of all matters pertaining to the public lands under regulations prescribed by law, and shall keep the Bureau of Immigration. He shall also have supervision of the state prison, and shall perform such other duties as may be prescribed by law."

The commissioner feels keenly the burden of his various public duties, and it is manifest that there can be no proper control of the prison system under such a constitutional provision. The board of commissioners of state institutions control the prisoners through the commissioner of agriculture.

The commissioner in a very frank report to the legislature for the year 1907–08, expressed the fear that commercial motives would make reforms difficult or impossible and urged that human beings should not be subordinated to money. In stating some of the improvements that he hopes to make in the system, we may judge how far the system now falls short of an ideal method of controlling the convicts.

"Some of the suggestions that I hope to have incorporated in the next contract are as follows:

"First, a complete and positive segregation of the races, requiring the white and colored population to be maintained in separate and distinct prison barracks and their fields of labor entirely separate and apart, the one from the other.

"Second, to have a positive and definite restriction as to the hours a prisoner can be required to labor for the contractor. It is my purpose to request the board to incorporate in the contract a provision limiting the hours not to exceed ten.

"Third, I hope to have incorporated in the next contract a provision authorizing the prisoner to make arrangements satisfactory to himself and the contractor to do extra work beyond the ten-hour limit for which the contractor shall pay the prisoner full recompense for this extra effort upon the part of the prisoner. . . .

"Fourth, definite requirements as to the space in sleeping cells, positive directions as to the amount and character of clothing to be kept in stock at each prison and a detailed outline of the equipment for bedding, etc. . . .

"Fifth, it is my desire to have the next contract cover in as full detail as practicable the requirements in connection with the maintenance of a central hospital or hospitals. . . .

"Sixth, there is no question in my mind that one of the greatest evils that has heretofore attached to our lease system has been in permitting individual companies or corporations who entered into a contract with the state board, for the hire of state prisoners, to sell their contract or franchise for a moneyed consideration. This, in my judgment, is absolutely wrong. It is my purpose to insist upon having incorporated in any contract that I may submit to the Board of Commissioners of State Institutions for their approval, a provision positively prohibiting such assignment or sale."

In calling attention to the evils now existing, the commissioner says:

"The law directs that all prisoners must be delivered to the Commissioner of Agriculture at some point that he may designate. The commissioner is required to take charge of them and to control, direct and police them while in the custody of the state. Has the fact ever dawned upon our law makers or the intelligent citizenship of our state that the state does not own an acre of ground or even a shed where the commissioner could carry out the provisions of the statute placed upon him? The majority of our people are not aware of the fact that Florida is the only state in the union which has not made adequate provision for carrying out the statutory requirements pertaining to her prison system. . . .

"Another fact stands out prominently and to our discredit: that we stand solitary and alone in the leasing of women—black and white —for a moneyed consideration. In so far as I have been able to observe by reading the reports and discussions of others concerning convicts, I have not found any state or civilized country that leases out its female labor except our own state. . . .

"Again we have to ourselves the unfortunate distinction of standing alone among the other states of the Union in leasing out the aged, the imbecile and the young."

The commissioner further contrasts the former harder conditions of prison life in Florida with the requirements of today. The death rate, however, among the Florida prisoners seems to have been small:

"The total number of deaths for the year 1907 was 29, and for 1908, 26, giving a grand total for two years of 55. Of this number in the year of 1907, 22 died from natural causes; during the year 1908, 20 died from natural causes. For 1907, there were 7 deaths from other than natural causes, such as gunshot wounds in attempting to escape, falling banks, suicide and from accidents of other kinds. For the year 1908, from other than natural causes we had 6 deaths. From these figures you learn that for the year 1907, while handling 1,736 prisoners, we had only 22 deaths from natural causes, being the extremely low per cent of 1.26 as our death rate, and for the year 1908, while we handled 1,756 prisoners, we have only 20 deaths from natural causes, which gives us the unusually low death rate of 1.13 per cent."

The commissioner reports that the prisoners under the lease now in force, bring to the state in excess of the cost of transportation and maintenance the gross sum of $207.07 per capita per annum, which approximates $240,000 per annum. The lessees are required to keep a corps of guards employed on duty equal to one for each five prisoners in the camp; one mounted man to each twenty-five prisoners and two trained bloodhounds. Many prisoners, working in the open, as they are doing, have attempted to escape, and by the aid of the bloodhounds have been recaptured, "but in no instance have I heard of such a thing as any one being hurt by a bloodhound."

"For holding the prisoners at night an armed guard occupies a room or cell in full view of the hall, but removed from approach by the prisoners. The hall is lighted to give him full view of the inmates. In large camps, a floorwalker, unarmed, is locked in with the prisoners. But one prisoner is allowed up at a time and then by permission of the night guard."

The lessee is obliged to pay a reward of $100 to have any one apprehend and return a prisoner. Good time is allowed prisoners for good behavior. The commissioner attempts to keep in touch with the prison system by reports sent in to the headquarters camp by the lessee.

This monthly report is delivered to a supervisor who is authorized by the governor to inspect convict camps and jails, these supervisors being four in number. The supervisors' reports are reviewed by the commissioner. Three supervisors are appointed by the executive, and the commissioner intimates that they are appointed as a reward of political service, and complains that they are beyond his authority or control.

The commissioner further complains, and the situation is also due to the interest which the state has in retaining these prisoners, that out of 1736 convicts handled during the year only four were paroled and 71 were granted conditional pardon.

The commissioner writes me:

"I enclose you copy of the law passed by our legislature, relative to county prisoners, which I guess was the result of my discussion on the subject. It is at least a start along proper lines. The legislature also passed a law authorizing the board of commissioners of state institutions to purchase land for the purpose of establishing a state farm or penitentiary to care for the female population of the state prison, as well as the aged, diseased, etc. The state having no direct supervision of county prison work, I am not able to advise you intelligently as to the results of any experiments that have been made in working county or misdemeanor prisoners on the county roads."

A letter from Hon. F. M. Hudson, president of the senate of Florida, says:

"As rapidly as it is practicable to do so the farm will be enlarged until we are in position to establish a state farm, but to my mind, a prison farm must be the final solution. A walled prison in this climate appears to me to be out of the question."

As an example of a state where the convict lease system still remains, although it is called the contract system, take the state of Alabama. The president of the board of inspectors of the convict department assured me that the convict lease system in Alabama had been abolished. I found the same impression prevailing among other public men. It is true that not all of the convicts are employed under this system, as they are in Florida. There are three prison farms, and most of the white men and Negro women are worked in the cotton mills, under the public account system. One hundred convicts are worked on the turpentine farms, some in saw-mills, and many in the coal mines; one hundred in the foundry and stove works at North Birmingham.

The contractors are required to build suitable prisons for the convicts under their control, but the control is more absolute than it was in Georgia under the convict lease system, even the wardens and guards being employed by the "contractors," who may as well be called lessees.

The convicts employed in the mines are divided into four classes according to their physical ability. The state receives for these convicts from the contractor a fixed sum per day, and in the mines they are given tasks. Where the coal is four feet thick and upwards, they are required to cut and load as follows:

First class men, four tons of coal; second class men, three tons of coal; third class men, two tons of coal, and fourth class men, one ton of coal. They are required to load double this amount respectively when not cutting coal.

The county convicts are classed in the same way by the inspectors. The medical inspector and the other inspectors are employed by the state, but the contractors or lessees furnish the food, clothing, building and medical attendance according to the regulations of the board of inspectors. The state authorities seem to exercise more supervision of the county convicts, however, in Alabama, than in most of the other states. The revenue from the different systems, from the 2500 state convicts, amounts to half a million dollars a year.

While the regulations for the discipline of the convicts seem reasonably humane, of course the fact that the convicts themselves are under the direct control of wardens and guards employed by the contractors, practically nullifies any degree of regulation by the state authorities. It is true that these wardens and guards must receive a license from the state authorities before they can be employed by the contractors, and they can also be discharged by the state authorities, but we have seen how even the subsidizing of the guards by the convict lessees in Georgia, though they were employed by the state, left the convicts at the mercy of the greed of the lessees.

The true state of affairs is evidently not realized by the people of Alabama, who seem to be generally under the impression that the lease system has been abolished. The contract system presupposes entire control by the state authorities and their employment within state prison walls. It is my conviction that when the people of Alabama awake to the abuses inherent in this system, and a thorough-going investigation of the system itself is made, it will be abolished, as it has been in Georgia.

II

THE PUBLIC ROAD SYSTEM

The abuses incident to the work of county convicts on the roads, arise mainly from the absence of state supervision. Some of the convict camps are good, others are bad. We find former Superintendent Mann, of the North Carolina state prison, saying in his report for 1907–08:

"In our desire for internal improvements in North Carolina, and especially for good roads, we seem to have lost sight of the fact that crimes are committed not against the county, but against the state. The convicted criminal is the property of the state and not of any county. It is the duty of the state not only to protect the law-abiding by depriving the criminal of his liberty and punishing him for his crime, but it is also the sacred duty of the state to protect the criminal from cruelty, abuse and inhumane treatment, and to provide in a proper manner for his welfare and maintenance.

"Under special acts of the legislature, about forty counties in North Carolina have organized what are known as chain gangs and use them in the construction and improvement of their public roads and highways. From the report of the board of public charities it will be found that there are more than 1,200 prisoners in these chain gangs serving sentence for crime. The state has granted to the counties absolutely and unconditionally the full management and control of these prisoners, and has endeavored to surrender its responsibility for them, not even reserving a supervisory inspectionary authority. Without the least concert with one another, each county is in supreme control of its own gang, prescribes its own rules of discipline, of clothing, of feeding, of guarding, of quartering and working. Consequently, in addition to what is known as the state's prison, North Carolina has forty wholly independent state prisons, under forty separate and distinct managements, with forty different and distinct sets of rules and regulations, over which there is absolutely no state supervision and inspection. The hospital facilities, at least, of all these many prisons are inadequate and defective, for in none of the counties is there a place, except the jail or workhouse quarters, where the sick or the enfeebled or the demented can be cared for and cured. I have been informed, but cannot substantiate the statement, that the average life of a road convict is less than five years. All prisoners are at least human beings, very many are intelligent, and some are possessed of refined sensibilities. A large portion of them are capable certainly of serving their sentences and afterwards becoming useful citizens. None are mere working machines which the state should condemn to unremitting toil and unendurable hardships, only to be worn out and buried within a few months, or at most, in a few years. The law evidently intends the punishment to fit the crime, and that persons convicted of felony and given long terms shall be sent to the state prison, while those convicted of less serious offenses, especially misdemeanors, shall be given shorter terms and lighter work upon the roads. And yet, under existing conditions, it is strangely true that harsher and more vigorous punishment is inflicted upon the petty offender than upon him who commits the more serious crime.

"The present chain-gang policy of our state—it is in no sense a system—cannot be successfully defended, and ought to be at once discontinued. The civilization of our age demands it. I believe it to be in every respect as defective and as full of possibilities for wrong-doing, cruelty and inhumanity as was the old convict lease system, now long since abolished. I do not mean to charge that acts of cruelty and brutality have been actually committed in any one county, nor that the prisoners of any county have suffered from overwork and neglect, but I do mean that the possibility for such things has existed and does exist, and, if the present policy is continued, I feel that it will be only a matter of time when it will bring upon our state deserved criticism and an unenviable notoriety. The state cannot surrender nor even evade responsibility for those whom it has fettered for crime."

Superintendent Mann, it will be noted, speaks of the convict lease system as having been abolished in North Carolina. Yet the latest report of the former superintendent, June, 1909, says: "For several years we have had a contract for 150 men with Messrs. Wade and Morrison, who were engaged upon work for the Atlantic Coast Line Railroad, but this expired yesterday (December 31), and has not been renewed. I have, however, made two new contracts, 75 men each, and extending until May 1, 1909, one with the Atlantic Improvement Company, of Fayetteville, the other with the Navassa Guano Company of Selma. Since September, 1906, the contract price for prison labor has been $1.50 per day for each man."

Such a contract differs from a "lease" only in the fact that the state retains the control and discipline and feeding of the prisoners in the hands of its employes. But Fayetteville and Selma are a good distance from any state prison and of course the system is liable to abuse through collusion between the contractor and the wardens and guards.

I beg to quote a very interesting letter from Miss Daisy Denson of Raleigh, secretary of the board of public charities of North Carolina, as to the general conditions of prison life in North Carolina.

"I am deeply interested in this subject because I see the defects, but more so because it seems to me that farm life, road work, this out-of-door life is the right thing, if we will go to work and make a system of training and reformation out of it and not merely dollars; I submit that if we are merely going to make dollars any way, it is still to be preferred to being shut within stone walls and bending over monotonous manufactures day after day.

"I never go through a prison where the men are working within the buildings that I do not feel that they are worse off than our men. I believe this to be true in spite of the lash (which I thank God is used less all the time), the chain and the gun.

"The county camps are really in many instances very good and comfortable and are subjected to more inspection than the state prison camps, but I agree that the county camps should be under a responsible central board; in fact that has been the recommendation of the board of charities for several years past. They are open to abuse where there are so many, each under a separate set of officials; they are visited by the grand juries and by the county boards of visitors of the board of charities and reports made to the board regularly of conditions. As secretary of the board, I am constantly writing to one camp or another in regard to changes needed or criticisms. This has improved them, but there is room for neglect or abuse, and we should have a central body with executive powers in charge of the camps. I think that the state should manage her prisoners.

"The state owns fine farms on the Roanoke River, Halifax county, and works there about 300 prisoners. You will see by the last report that there were among these 28 women. These were colored women sent down to pick cotton, peas, etc. The weaker prisoners go to the farms. There are in round numbers annually about 300 on railroad and turnpike work. These are the strongest men. They are housed, fed, clothed, disciplined, guarded and managed by the prison authorities and they do the work for the railroads. The state gets in return $1.50 per day for each prisoner's day's work. All able-bodied prisoners without regard to crime or sentence are worked on the railroad building, including life prisoners. This latter is against the express wording of the state Constitution, because prisoners who have been convicted on charges of murder, arson, rape or attempt to commit rape, are forbidden to be farmed out. Attention has been called to this by the board of charities, but no action taken; out of 298 men so worked last year, 192 were sentenced upon one of these four charges. However, if they can be managed so as to protect the public from escape and not force heavier restraint upon other prisoners for less heinous crimes, then perhaps we are doing an enlightened thing to take them also outside the brick walls.

"The hundred or so prisoners left in the direct care of the state are in the state prison; a few women in a separate building within the walls, a few consumptives in an isolated infirmary, and some few men making brick and doing the prison work.

"The convicts who are sent to the penitentiary go there first and then are sent out to the farms and railroad camps. They are changed about frequently. In severe weather they are sent back to prison, when sick, etc. The result of this is steady labor all the time. That is reforming, providing it is not overdone. Percentage of mortality upon whole number in charge was 2⅓, which is very low. On December 31, every outstanding obligation of the prison was paid and there was a total balance of $154,675.93. The earnings over expenditures for the eight years of the administration of the prison by Mr. Mann (who retired on January 1, a new set of officials being appointed by the governor) were $324.844.89. So much for the physical and the financial result.

"I do not think that we have met the highest aim, the best aim, the educational and moral, the reformative. I am sorry to say it. But we cannot say because we have failed there that it is this system. No, it is because public sentiment has not forced the latter. Money has blinded many good people. Add to the farm life, the outdoor life, and I believe we shall improve upon some on the other side of Mason and Dixon's line.

"The county camps are distinct from the prison camps. They exist in about forty counties and many of the other counties send prisoners to nearby counties.

"They are run under as many different laws but in general are similar. One camp in Buncombe county, one of the largest, has different uniforms for convicts and misdemeanants, as should all. One county, possibly more, gives commutation time for good behaviour: so should all. There are about 1200 or more men in these camps. No women work on the roads of course, but I am ashamed to say about a dozen are sent out as cooks.

"Some convicts and misdemeanants are sent to the county roads,—prisoners under ten years term and in some counties only under five. The greatest good result is the emptying of the jails of a crowded population sitting in idleness through sentences of months and years. As it is, the jails are places of detention merely, few persons serving sentences in them. This is a great thing. We have many jails which seldom have any prisoners.

"Some counties report that they do not whip or very seldom, while the others continue to flog. There are armed guards who shoot if the prisoners try to escape and at night the men are chained. That is, a short chain fastened to one ankle is fastened to a long chain running the length of the building or canvas tent. This is so arranged that in case of fire or accident the whole number can be liberated at once, but could not escape because they are fastened together. The lash we must do away with. Now if some one will tell us how to keep these men safely without chaining them, and to guard without occasionally shooting, both of which are so dreadful; if some one will tell us how to give them educational and moral training in the nomadic life of a camp, working one road one day and the next ten miles away, then we shall solve the problem. Because the South is going to have good roads,—that is certain; she is also going to make the prisoner pay for himself,—at least that is certain; and it seems as if we should devise ways and means to improve a system which is growing and which is here to stay, I believe, for many years."

I agree heartily from my own experience with most of the conclusions of Miss Denson, that with a strong central state authority controlling all the prisoners, work on the roads in the climate of the southern states is an immense improvement over the system of confining prisoners within the walls.

The people and the press of Virginia seem enthusiastic over the results of the road system. I have the following report from the office of the state convict road force, at Richmond, Virginia. The letter says:

"As to this department, I beg to say we have been using convict labor on our roads in Virginia extensively since 1906 and the good results of the system have been far in excess of anything its advocates hoped for. Under our present law we are using two classes of criminals in the construction of our public highways; that is, felons receiving from one to five years, and shorter term prisoners convicted of misdemeanors and sentenced to serve terms in the various [county] jails of the state. We are working at present something like eight hundred (800) prisoners on our roads and are increasing the number as the state increases its appropriations for the work. Last year we worked an average of 450 prisoners per month; of the prisoners making up this average, 313 were short term felons and 415 were secured from the various jails of the state.

"You will note from the enclosed copy of our law we are engaged in the construction of permanent roads only; that is, we are building macadam, gravel and sandy clay roads. In my opinion this method of working a certain class of criminal labor is satisfactory and beneficial. I consider it far more healthful than confinement, and a great good is accomplished in the construction of public highways in our state. This method of employment also enables the separation of the first offender, or short term man, from the hardened and professional crook and removes him from the school of crime. I also believe that the prisoner working in the open air, with proper clothing, healthful work and proper discipline, is more easily reformed than when confined within the prison walls. He may not be altogether happy, but he is certainly less miserable than one confined within the walls, and the chance for his moral uplift is better. In my opinion the opportunities for the nourishment of vicious habits and tendencies are much less in the camps than in the jails where the prisoner is kept in idleness and in close criminal companionship. It is also fair to presume that any man feels better when he knows that he is being useful and accomplishing something. I do not recommend this method of employment for criminals who have long terms or who are dangerous to the community, as the chances for escape are far better than when confined within the prison walls, but under our law I am heartily in favor of the system.

"Our annual report gives the cost of equipping and operating of our road camp in the state. We have worked this labor at the small cost of about seventy cents per day to the state, which includes every expense connected with the department."

The control of the convicts in Virginia for road-building purposes is vested in a state highway commission. The commissioner must be a civil engineer, well versed in road building. The county authorities apply to this commission for state aid in the building of roads. The agreement is made between the county authorities and the highway commission as to the plans and specifications, the material to be furnished by the county, and an estimate is made of this cost. The county must employ a civil engineer designated by the commission, and the commission makes a requisition upon the superintendent of the penitentiary for the required number of convicts. A valuable feature of the law is that the commission has the power to make requisition also for the county, or misdemeanor convicts, so that they are also worked under state supervision.

One objection to the public road system will at once occur to many minds, that the spectacle of convicts at work on the roads is degrading to the convicts and spectators, and is apt to familiarize people, especially the young, with the idea of crime and its punishment. In addition it may be said concerning the Negro population that the Negro convict is frequently regarded as a hero, and there is very little idea of shame connected with the punishment for crime. I watched for some weeks during this year the working of a convict force on the county road in front of my own residence in Georgia. I rather resented the idea that my children should be exposed to the sight of these convicts daily. All but two or three of them were Negroes. On the other hand the spectacle may to some extent serve as a deterrent to crime, though the Negro convicts, especially, were the most cheerful set imaginable, singing and laughing at their work, and in the intervals of leisure while they ate their lunch, laughing and talking with any Negro friends or acquaintances who happened to pass by. This, in spite of the stern figures of the guards with their rifles always in readiness to prevent escape.

There is, as has been pointed out, a great degree of enthusiasm manifested in the southern states for the good roads movement. The working of convicts on the roads serves for the moment to meet the need, while the road system is an immense improvement over the former jail system and the present convict lease system. I look for a large development in the road-building system in the South within the next few years.

In Georgia the legislature of 1908 decreed that the prison commission should purchase out of the funds on hand from the old lease system, a suitable farm for the employment of a larger number of prisoners. The prison commission dallied over this business and finally selected a farm, which Governor Hoke Smith refused to accept, as one totally unfit for the requirements. As a result of this difference of opinion, no farm was chosen, and under the present administration, the legislature directed that the fund should be diverted from this purpose. Meanwhile, practically all the convicts are being sent to the roads, upon requisition by the various counties. When this state has completed the number of roads immediately required, I feel sure that the state farm system will be more generally adopted. The Georgia convict law of 1908 placed the misdemeanor convicts as well as the state convicts under the care and supervision of the state authorities.

III

THE STATE FARM SYSTEM

Mississippi furnishes the best example of the state farm system. A letter from Senator John R. McDowell contains the following information:

"The Constitution of 1890 abolished the leasing of state convicts and since that time all penitentiary convicts have been kept on farms. Under the leasing system there were two great evils. First, cruel treatment of the prisoners, and next graft, or opportunity for graft. Our state has never tried the road system and it would seem to me to be impracticable for several reasons. . . .

"Under the farm system, the state owns two large plantations in the Yazoo-Mississippi Delta, on which the majority of the Negroes are employed. They have a small place at Oakley, Mississippi, which is used as a hospital, where sick or maimed convicts are sent. All the women felons are also sent there. They are occupied in nursing the sick and making clothes for the convicts all over the state. There are enough able-bodied convicts at the hospital to take care of things and to cultivate considerable land. Stock raising is carried on there to a great extent. There is another farm in Rankin county, near Jackson, where all of the white convicts are sent. The land is not so rich and very little cotton is raised. Cattle, mules and horses are raised and a great deal of corn, peas, hay, etc. There are about 150 white convicts in the penitentiary and about 1500 Negroes. There are sixteen white boys under twenty-one years old in the penitentiary. I do not know how many Negro boys of the same age, but I imagine about 150 to 200. There are only two white women in the penitentiary. [This does not mean in a penitentiary building, but sentenced to hard labor.]

"The farm system would seem to me, for our climate and conditions, to be the best possible method to employ. First, it is certainly the most humane. The out-of-door occupation suits most of the convicts, as our climate is mild and seasons good. Most of them, especially the Negroes, make good farmers, whereas few of them could be used at anything else. They are all comfortably housed; have good beds, plenty of cover, plenty of clothes and good substantial food. They are humanely treated and well cared for by competent physicians. Aside from the fact that the farming system has many other advantages, employment of the convicts in farming yields quite a revenue to the state over and above expenses.

"The legislature of 1908 abolished the leasing of county convicts. As a rule no county has more than a dozen or so, and formerly they were leased and worked on farms. Now each county works them, either on a county farm or on the roads of the county under the charge of a warden or other officer. Most convicts in the city jails are worked on the streets."

I paid a visit some years ago to one of the state farms of North Carolina. This farm has since been given up. I was greatly impressed with the appearance and general bearing of the Negro convicts who were at work. I saw them coming home from their work, singing as they came, saw them prepare for the evening meal, and for bed, and there was evidence of the most kindly relations existing between the officers in charge and the prisoners. Some of the favored ones were given a small drink of whiskey toward the close of the day, and this reward was received with great good humor on the part of those singled out.

I cull the following items from the report of former Superintendent Mann, of the North Carolina state prison:

"We have employed about 300 prisoners, as usual, in cultivating the farm. Many of these, however, were not robust, either on account of age or other physical infirmities, and while capable of doing various kinds of farm labor, could not be profitably used in other work.

"New and comfortable dwellings have been built, at a cost of $3,600, and are now occupied by the supervisors and their families. These add much not only to the value, but to the attractiveness of the farm. Other buildings have been kept in repair, and all are in good condition."

The state farm system meets the demand for outdoor employment so necessary in the southern climate. It takes the prisoners out of competition with skilled labor, and the small addition to the crops of cotton and corn which they are able to make, while furnishing a moderate revenue to the state, is not felt by way of competition by the farmers, but is really a benefit to them in the lessening of taxes that would otherwise be levied for the care of the prisoners.

The prisoners are able to watch the growth of the vegetables and the various products of the farm under their hand, and above all are out in the open air and the sunshine.

Except in Mississippi, the prison farm seems to have developed as a place primarily for the weaker members of the convict community. In Louisiana, for example, the convicts are divided into four classes. In the first class are men over eighteen years of age, weighing over 140 pounds, physically sound and accustomed to manual labor. These are put to work on the levees, where the work is rather heavy. The second and third class prisoners are placed on the prison farm, while the fourth class, consisting of invalids and cripples, are not required to work.

In South Carolina the majority of the prisoners, 540 out of 902, are detained in the prison yard, and most of these are employed in the hosiery mill, located within the prison walls. One hundred and seventy-four prisoners are employed on two state farms, and the convicts so much prefer life on the farm, and it seems to be so beneficial in every respect, that there is a strong sentiment in South Carolina to close the hosiery mill at the termination of the present contract, and to enlarge the prison farms for the accommodation of more prisoners. It is difficult to say too much in praise of the treatment of these convicts in South Carolina. I paid a personal visit to the penitentiary. There is a large truck farm within the prison walls, where supplies for the inmates are raised. Flowers abound at every turn. A really beautiful and commodious and modern hospital for tuberculosis patients has been erected. The testimony was noteworthy as to the danger of contracting tuberculosis within the hosiery mill, and the cure of these patients effected by sending them to the farm, before the tuberculosis hospital had been erected. Since the erection of this hospital, the deaths from tuberculosis annually have been reduced from 23 to five or six. There is no lease system or remnant of it in South Carolina. Convicts not within the prison walls are employed on the farms, or work on the Agricultural College grounds at Clemson, while 53 of them are sent to the counties for road work.

Texas furnishes just now an example of the familiar truth that inhumanity can prevail in any system. The convicts in Texas are worked under the lease, contract, public account, and public works systems. But a legislative investigating committee has recently discovered horrible abuses in all of these systems. A number of convicts were found to have been literally beaten to death during the past year, and the prisoners seemed to dread the prison farm as much as the work within the penitentiary walls, if not more. I have no doubt that the people of Texas will end these abuses at the first opportunity, as the state has been tremendously aroused over the revelations that have been made.

In general, I may say that wherever a sufficient investigation has been made and abuses discovered, the people of the South have been quick to respond in the effort to correct the abuses.

What the South needs is the enlightening of public sentiment through the knowledge of the best methods of prison reform, and the knowledge by each state of the abuses which exist under the systems that prevail within its own bounds. Another fact that should be considered in relation to the penal systems of the South is that the convict problem is, in one sense, a feature of the Negro problem, through the South Atlantic and Gulf states at least. In Georgia, for instance, though the white population exceeds the Negro population, 91 per cent of the convicts are Negroes.

One subject, which is too large for discussion in the present paper, is whether or not the Negro race can be fitly governed under Anglo-Saxon law. The Fourteenth Amendment to the Constitution of the United States makes the citizens of each state citizens of the United States and precludes any discrimination on account of race. Whether this ignoring of racial differences is the best thing for the Negro in America is a question which I am sure must finally occupy the thoughtful consideration of humane and patriotic men.

V

AMERICAN REFORMATORIES FOR MALE ADULTS

By JOSEPH F. SCOTT

Superintendent of Reformatories for New York

AMERICAN public opinion in the last century readily accepted the reformatory and preventive, rather than the purely deterrent methods in the treatment of its delinquents and criminals. Such methods were first applied in dealing with juvenile delinquents. In 1825 the first American reformatory for juveniles was opened in New York City, on Randall's Island; one was also opened in Boston, in 1826, and the following year another in Philadelphia. These early reformatory institutions were granted public moneys toward their support, but were not directly managed by the state. The first juvenile reformatory to be established under state control was the reformatory school at Westborough, Massachusetts, in 1847; this method has been generally followed in the different states of the union. The results obtained prepared the way for a further application of similar methods in dealing with adult criminals.

The Crofton system in Ireland, including graded prisons and conditional liberation, had many interested admirers in America. The results of the work of Captain Maconochie, begun in 1840 at Norfolk Island, as set forth in his reports and other publications, made a deep impression here.

Captain Maconochie advocated:

First, the training of men in society for society, in contradistinction to the separate and silent systems generally in vogue.

Second, instead of sentences for a fixed time being passed on criminals, he thought they should be required to earn marks corresponding to their several sentences.

Third, that men should be associated in small groups, having interests in common.

This was a step far in advance of any previous attempts at reformatory discipline, and it contained the underlying principles upon which the modern American reformatory is based.

In 1865, Mr. Frank B. Sanborn, inspector of prisons in Massachusetts, presented for the first time officially in America the principles advocated by Maconochie and Crofton in a report to the General Court of Massachusetts. Many of the recommendations contained in this report have been adopted in most of our states in the organization of reformatories.

NEW YORK STATE REFORMATORY, ELMIRA

The New York Prison Association, whose secretary at that time was Doctor E. C. Wines, became the nucleus for a public sentiment in the state of New York which in 1869 successfully carried through the legislature a bill authorizing the selection of commissioners to recommend a suitable location for a state penitentiary, or industrial reformatory. The act under which they were appointed provided that they should select a suitable site in the sixth judicial district of the state, and also required that they should prepare and submit to the legislature a plan for the organization and management of the proposed institution. Governor Hoffman appointed the following commissioners for this purpose: Joseph Warren, Theodore W. Dwight, Charles H. Winfield and Gaylord B. Hubbell.

The commissioners selected a site in the city of Elmira, in Chemung county, "on the whole, the most eligible location for the reformatory," which became the first reformatory in America for adults.

The salient points of the report upon the plan of organization recommended were as follows:

"It is apparent that the law under which we act does not contemplate simply another state prison. In referring to a reformatory we assume that the design of the legislature was that there should be a selection from the mass of convicted criminals, of such persons as are most likely to yield to reformatory influences. There is a large class of persons who are fit subjects of such an institution. . . . There are many young criminals who are sent to state prison to associate with mature and hardened convicts. . . . This state of things should no longer continue, but provision should be made for a class too advanced in years for a house of refuge and yet not so mature as to be absolutely beyond the reach of ordinary reformative influences. . . . We recommend that no person be sentenced to the proposed reformatory whose age is less than sixteen or more than thirty years or who shall be known to have been previously convicted of any felonious offense. . . . The main design of the institution should be reformatory as distinguished from penal. By

New York State Reformatory, Elmira

this proposition we by no means exclude punishment, which may be used as one of the leading instrumentalities of reformation. The criminal should be made to feel that the commission of crime is infallibly attended with penalties, privation and suffering. In the outset he should be subjected to solitary confinement, from which he may learn this salutary lesson. He should then be made acquainted with the rules and regulations of the institution, be shown their propriety and necessity and be informed that the authorities will insist on their full and exact observance. He must be made to understand that the removal of burdensome restrictions upon himself depends on his own volition and that his destiny is, as it were, in his own hands.

"He will learn that a record will be kept from day to day of his good conduct and that it will be made to tell in his favor. If his conduct be correct, privileges will be conceded to him; if it be bad or reprehensible they will be withdrawn for a time or perhaps forfeited. A portion of his earnings may be set aside for his use on the expiration of his sentence, to be increased or diminished in accordance with his merit. It may thus be reasonably expected that prison discipline may largely consist in the bestowal and withdrawal of privileges; in this way the inmate of the reformatory will be placed in a position resembling completely that in which one is placed in ordinary life. In the approval which he receives daily for a life of merit he will have a continual tonic to brace him against the effects of temptation and a lapse into vice.

"We propose to carry this principle so far in the failings for which minor punishments are inflicted as to make the sentences substantially 'reformation sentences.' It has been a favorite theory of that distinguished criminologist and philanthropist Mr. Recorder Hill, of England, that criminals should be sentenced not for a definite term of years as at present, but until they are reformed. It may, of course, turn out to be for life. While we do not propose to recommend this work in full, yet we think that it has much to recommend it in principle and that it may be safely tried in a modified form. A sentence to the reformatory for so short a term as one or two years with the laws now in force is not sufficiently long for the efficient action of reformative agencies. We therefore propose that when the sentence of the criminal is regularly less than five years, sentence to the reformatory shall be until reformation, not exceeding five years. There will thus be no inmate of the institution on whom the agencies of reformation cannot, if deemed expedient, be made to act for that period, while the time may be much shorter if the circumstances admit it.

"This provision is confessedly in the nature of an experiment and should it work well it can easily be extended to other sentences. Should it be thought that too much power is given to the board of managers and warden to determine whether reformation has taken place, the answer is that their decision is not to be arbitrary, but based on some report of facts showing regular and satisfactory improvement.

"Moreover, if our entire plan is carried out it is believed that the board of managers and the warden will be men of such solidity of judgment and excellence of character that they can be safely trusted with exalted responsibilities.

"The state should on its part give every reasonable facility to the criminals in the reformatory to improve. It should definitely abandon the idea that the main consideration in a penal institution is to make it self-supporting, or a pecuniary success. . . . The discipline formed on these principles should be systematic and persistently adhered to. There must be an independent board of managers and a warden under them who shall have supreme control of the prison and its industries. We are thus led to condemn the contract system of prison labor. . . . There is another element of a disturbing character which has an injurious effect upon the stability and efficiency of prison discipline. We refer to political influences, the effect of which is almost universally deplored by thoughtful men. . . . We recommend a board of managers consisting of five persons, to be appointed by the governor, with the consent of the senate, to hold office for ten years, to be so classified that one member goes out of office every two years. It is believed that such a board will be to a large extent removed from political influences. Its members are to have no compensation for their services, but are to receive their traveling and other official expenses. . . . The prisoner must start in the career of reformation knowing that there is no hope for him save in submission and obedience to prison regulations. Still, our scheme contemplates that those who give evidence of reformation shall at a certain stage in their penitentiary lives be permitted to labor outside the prison walls in the open fields. . . . We have considered the so-called 'ticket-of-leave' system in England and are not prepared to recommend its adoption. It is well understood that under this system the prisoner is at large and yet not legally discharged. He is under the surveillance of the police and, being guilty of misconduct, he may be arrested and compelled to serve out his original sentence. This system must have a powerful influence in deterring a discharged convict from committing new crime in a country where there is a regular police, where his territory is comparatively small and where escape from prison is consequently difficult. But in our own country, where its territorial extent is so great that there is no organized police beyond the large cities, where vast states are only separated by mathematical lines, and the means of travel are so simple and unrestricted, the ticket-of-leave system is believed to be impracticable."

The commissioners decided that the institution be called "The State Reformatory," and that it should be placed upon a farm of at least 250 acres. In concluding their report they further state:

"We purposely refrain from further minuteness of detail. All this we believe may safely be left to the board of managers, which are provided for, and the warden who may be selected by them. We would leave the subject of modes of punishment to them, without specific legal prohibition.

"An institution such as we have sketched will meet with no success unless under the control of men imbued with reform ideas, and upon them we need lay no restrictions other than deliberation and openness and publicity of action.

"We look with confidence to the selection by the governor and senate of men fit to be trusted with the use of all the machinery of executive action. It is our belief that the practical working of this scheme will open a new era in prison discipline and that its results if faithfully carried out will lead in time to the reorganization of our state prisons, and will furnish suggestions to other states whereby the increase of the dangerous class in the state will be checked, and the great problem respecting the disposition of our criminals will be substantially solved."

This able report was a notable departure from the penal system in vogue in the state of New York. It clearly set forth the reformatory principles upon which the new institution was to be founded and was favorably received by the legislature, which made an appropriation for the purchase of a site and the erection of buildings.

In 1874 the building commissioners were succeeded by a building superintendent who carried on the work until 1876. In that year the legislature made various appropriations for the organization and maintenance of the reformatory under the direction of Messrs. Louis D. Pilsbury, Sinclair Tousey, William C. Wey, Rufus King and Ariel S. Thurston. On the 9th of May of that year (1876) the board met and organized, electing Louis D. Pilsbury to the presidency of the board, and Mr. Z. R. Brockway as general superintendent.

Mr. Brockway came to the reformatory with the experience of twenty-five years in the prison service, and immediately from the Detroit House of Correction in Michigan, where he had inaugurated many reformatory methods. Mr. Brockway was one of a committee of three (the other two being Mr. Wines of New York and Mr. Sanborn of Massachusetts) who drafted the declaration of principles for a prison system, adopted and promulgated by the national prison congress held in Cincinnati in 1870.

Mr. Sanborn, in a paper read at the Toronto conference in 1900, speaking of the draft of the bill by the committee, said: "As it finally stood, while somewhat abundant or exuberant in its phrases, this platform did contain, thirty years ago, nearly everything, in germ, which has been changing the rude and disjointed mass of prison laws and rules of that period into the present system."

No person could be better fitted for the superintendency of such an institution than Mr. Brockway, with his rare genius and extensive personal experience in prison work. He remained in office until 1900, a period of time sufficient for the organization and practical completion of the reformatory in harmony with his ideas.

In 1877 Mr. Brockway drafted the bill for the organic law governing the institution. The original draft embodied an indeterminate sentence without limitation, which was approved by the board of managers and incorporated in their report to the legislature. But, previous to its introduction in the legislature, fearing that the bill in this form might not pass, the draft was altered, limiting the sentence to "the maximum term provided by law for the crime for which the prisoner was convicted and sentenced."

An appeal was made to the magistrates, the clergy, and philanthropic persons generally throughout the state to use their influence toward the passage of the bill, which was passed without opposition and became a law which stands to the present time, without material alteration. Undoubtedly, had the section containing the indeterminate sentence clause as originally drafted been left in the bill, it would have become the law, as drafted, and would have given to us the purely indeterminate sentence which we have not been able to obtain up to the present time.

The law as passed has served as a model for practically all of the laws adopted in the different states and it seems to be of sufficient importance to be herein incorporated in full:

Minnesota State Reformatory, St. Cloud

ACT CREATING THE NEW YORK STATE REFORMATORY

SECTION 1. Any person who shall be convicted of an offense punishable by imprisonment in the New York State Reformatory, and who, upon such conviction, shall be sentenced to imprisonment therein, shall be imprisoned according to this act and not otherwise.

SECTION 2. Every sentence to the reformatory of a person hereafter convicted of a felony or other crime shall be a general sentence to imprisonment in the New York State Reformatory at Elmira, and the courts of this state imposing such sentence shall not fix or limit the duration thereof. The term of such imprisonment of any person so convicted and sentenced shall be terminated by the managers of the reformatory, as authorized by this act, but such imprisonment shall not exceed the maximum term provided by law for the crime for which the prisoner was convicted and sentenced.

SECTION 3. Every clerk of any court by which a criminal shall be sentenced to the New York State Reformatory shall furnish to the officer having such criminal in charge a record containing a copy of the indictment, and of the plea, the names and residences of the justices presiding at the trial, also of the jurors, and of the witnesses sworn on the trial, a full copy of the testimony and the charge of the court, the verdict, the sentence pronounced, and the date thereof, which record duly certified by the clerk, under his hand and official seal, may be used as evidence against such criminal in any proceeding taken by him for a release from imprisonment by habeas corpus or otherwise. A copy of the testimony taken on the trial, and of the charge of the court shall be furnished to the clerk, for the purposes of this act, by the stenographer acting upon the trial, or if no stenographer be present, by the district attorney of the county. The stenographer or district attorney furnishing such copy, and the county clerk, shall be entitled to such compensation, in every case in which they shall perform the duties required by this act, as shall be certified to be just by the presiding judge at the trial, and shall be paid by the county in which the trial is had, as part of the court expenses. The clerk shall also, upon any such conviction and sentence, forthwith transmit to the superintendent of the reformatory notice thereof.

SECTION 4. Upon the receipt of such notice, the superintendent in person, or a subordinate officer of the reformatory by said superintendent for that purpose duly delegated, shall proceed to the place of trial and conviction, and the sheriff or keeper of the jail having the custody of the convict, shall deliver him to such superintendent or delegated officer, with the record of his trial and conviction as made up by the clerk, and such convict shall thereupon be conveyed to the reformatory, the expense of which conveyance shall be a charge against and paid out of the earnings or other funds of the reformatory.

SECTION 5. The board of managers shall have power to transfer temporarily, with the written consent of the superintendent of prisons, to either of the state prisons, or in case any prisoner shall become insane, to the convict asylum at Auburn, any prisoner who, subsequent to his committal, shall be shown to have been, at the time of his conviction, more than thirty years of age, or to have been previously convicted of crime, and may also transfer any apparently incorrigible prisoner, whose presence in the reformatory appears to be seriously detrimental to the well-being of the institution. And such managers may, by written requisition, require the return to the reformatory of any person who may have been so transferred. The said board of managers shall also have power to establish rules and regulations under which prisoners within the reformatory may be allowed to go upon parole outside the reformatory buildings and inclosure, but to remain while on parole in the legal custody and under the control of the board of managers and subject at any time to be taken back within the inclosure of said reformatory, and full power to enforce such rules and regulations, and to retake and reimprison any convict so upon parole is hereby conferred upon said board, whose written order certified by its secretary shall be a sufficient warrant for all officers named in it to authorize such officers to return to actual custody any conditionally released or paroled prisoner, and it is hereby made the duty of all officers to execute said order the same as ordinary criminal process. The said board of managers shall also have power to make all rules and regulations necessary and proper for the employment, discipline, instruction, education, removal and temporary or conditional release and return as aforesaid of all the convicts in said reformatory.

SECTION 6. Whenever there is unoccupied room in the reformatory, the board of managers may make requisition upon the superintendent of prisons, who shall select such number as is required by such requisition from among the youthful, well-behaved and most promising convicts in the state prisons, and transfer them to the reformatory for education and treatment under the rules and regulations thereof. And the board of managers are hereby authorized to receive and detain during the term of their sentence to the state prison such prisoners so transferred, and the laws applicable to convicts in the state prisons, so far as they relate to the commutation of imprisonment for good conduct, shall be applicable to said convicts when transferred under this section.

SECTION 7. It shall be the duty of said board of managers to maintain such control over all prisoners committed to their custody as shall prevent them from committing crime, best secure their self-support and accomplish their reformation. When any prisoner shall be received into the reformatory upon direct sentence thereto, they shall cause to be entered in a register the date of such admission, the name, age, nativity, nationality, with such other facts as can be ascertained, of parentage, of early social influences, as seem to indicate the constitutional and acquired defects and tendencies of the prisoner, and based upon these, an estimate of the then present condition of the prisoner and the best probable plan of treatment. Upon such register shall be entered quarter-yearly, or oftener, minutes of observed improvement or deterioration of character, and notes as to methods and treatment employed. Also all orders or alterations affecting the standing or situation of such prisoner, the circumstances of the final release, and any subsequent facts of the personal history which may be brought to their knowledge.

SECTION 8. The board of managers shall, under a system of marks or otherwise, fix upon a uniform plan under which they shall determine what number of marks, or what credit shall be earned by each prisoner sentenced under the provisions of this act, as the condition of increased privileges, or of release from their control, which system shall be subject to revision from time to time. Each prisoner so sentenced shall be credited for good personal demeanor, diligence in labor and study and for results accomplished, and be charged for derelictions, negligences and offenses. An abstract of the record in the case of each prisoner remaining under control of the said board of managers shall be made up semi-annually, considered by the managers at a regular meeting, and filed with the secretary of state, which abstract shall show the date of admission, the age, the then present situation, whether in the reformatory, state prison, asylum or elsewhere, whether any and how much progress or improvement has been made, and the reason for release or continued custody, as the case may be. The managers shall establish rules and regulations by which the standing of each prisoner's account of marks or credits shall be made known to him as often as once a month, and oftener if he shall, at any time, request it, and may make provision by which any prisoner may see and converse with some one of said managers during every month. When it appears to the said managers that there is a strong or reasonable probability that any prisoner will live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society, then they shall issue to such prisoner an absolute release from imprisonment and shall certify the fact of such release and the grounds thereof to the governor, and the governor may thereupon, in his discretion, restore such person to citizenship. But no petition or other form of application for the release of any prisoner shall be entertained by the managers. Nothing herein contained shall be construed to impair the power of the governor to grant a pardon or commutation in any case.

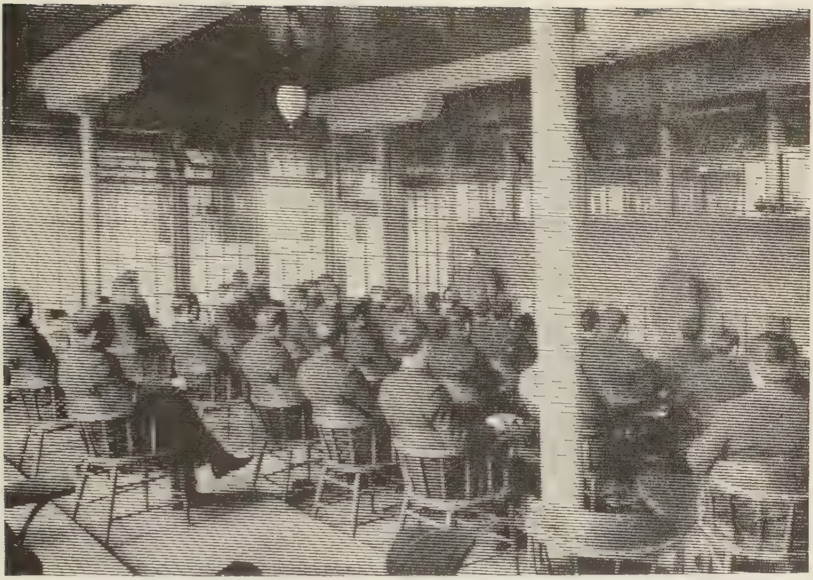
SECTION 9. If, through oversight or otherwise, any person be sentenced to imprisonment in the said reformatory for a definite period of time, said sentence shall not for that reason be void, but the persons so sentenced shall be entitled to the benefit and subject to the liabilities of this act, in the same manner and to the same extent as if the sentence had been in the terms required by section two of this act, and in such case said managers shall deliver to such offender a copy of this act, and written information of his relation to said managers.

SECTION 10. Said managers may appoint suitable persons in any part of the state charged with the duty of supervising prisoners who are released on parole, and who shall perform such other lawful duties as may be required of them by the managers; and such persons shall be subject to direction and removal by said managers, and shall be paid for the duties actually performed under the direction of said managers a reasonable compensation for their services and expenses, and the same shall be a charge upon and paid from the earnings or other funds of the reformatory.

From the passage of this law until the present time there has been but little deviation from the system originally devised. Few changes have been made in the law; none of them have affected its essentials. The system has not been without criticism, and a number of investigations have been made into its policies and methods.

The reformatory at Elmira being the pioneer institution of this kind, it is deemed best to follow in this article minutely its inauguration and development for the history of the reformatory movement. The reformatories which have been established in other states have largely patterned from this institution in their laws, organization and methods and a brief description will be given of institutions from which information has been received.

Without detailing the successive transitions in the development of the reformatory, a description of the institution and its methods will be given as they exist at the present time. During the thirty-four years of its existence there have been but thirty-two members of the board of managers. During a large portion of the time the board has consisted of five members and during the last three years, of seven members; so that the time served by most of them has been of sufficient duration to obtain a good knowledge of the aims and methods of the institution. One member, Doctor William C. Wey, served on the board for twenty-one years. During this period there have been three superintendents, Mr. Z. R. Brockway, from 1876 to 1900; Doctor Frank W. Robertson, from 1900 to 1903, and Mr. Joseph F. Scott, from 1903 until the present time.



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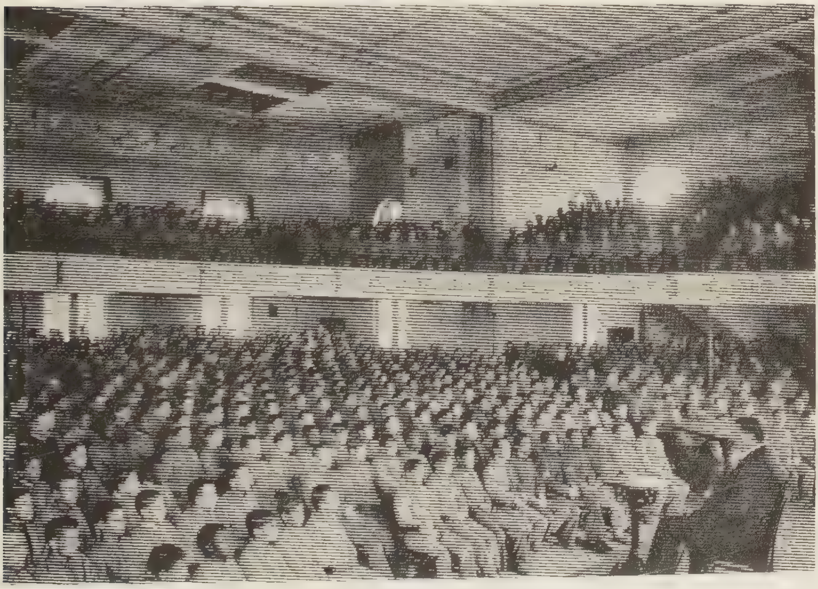


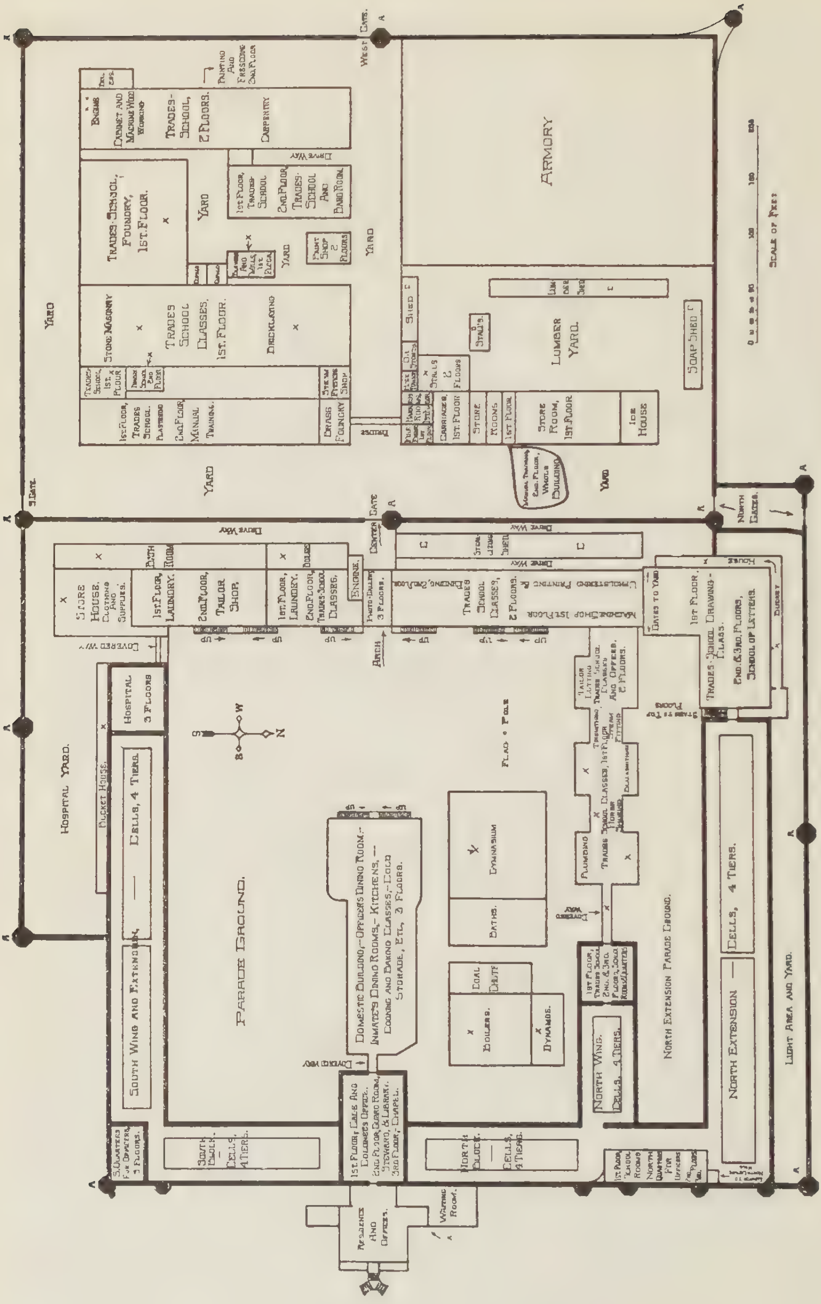
Auditorium

New York State Reformatory, Elmira

Mr. Brockway, as has been previously stated, came to the reformatory with an experience of twenty-five years in other penal institutions, and Mr. Scott had been connected with the reformatory institutions of the state of Massachusetts for twenty-three years previous to accepting the superintendency of the Elmira institution.

Nearly every year has seen the erection of some new building for the developing needs of the institution, and new methods have from time to time been adopted. The institution, inclusive of land and buildings, has cost $2,121,143.30.

The buildings are constructed of stone and brick, and those erected during the last six years are fireproof. They consist of an administration building and superintendent's residence, the cell-block structures, occupying the front and two sides of the rectangle, comprising the institutional enclosure; a domestic building, a bath house and laundry, eight trades schools, a school house, an armory and drill hall, a gymnasium, a hospital, a power house, together with numerous farm and horticultural buildings. There is a large auditorium, a chapel, and a lecture hall. The following table of dimensions of buildings with the accompanying plan will present the extent and arrangements of the grounds and buildings with detailed measurements of all cells, hospital wards, and other statistics.


Armory
Lumber Yard
Soap Shed
Ice House
Yard
West Gate
Center Gate
North Gates
Trades School, Foundry, 1st Floor.
Trades School Classes, 1st Floor.
Stone Masonry
Bricklaying
Trades School, 2 Floors.
Carpentry
Brass Foundry
Store House, Clothing and Supplies.
1st Floor, Laundry.
2nd Floor, Tailor Shop.
Engine
Hospital, 3 Floors
Hospital Yard
Bucket House
Cells, 4 Tiers.
South Wing and Extension.
Parade Ground.
Domestic Building, — Officers' Dining Room, — Inmates' Dining Rooms, — Kitchens, — Cooking and Baking Classes, — Cold Storage, etc., 3 Floors.
Flag Pole
Gymnasium
Baths.
Boilers.
Coal Chute
Dynamos.
Plumbing
North Wing, Cells, 4 Tiers.
North Extension Parade Ground.
North Extension — Cells, 4 Tiers.
Light Area and Yard.
Trades School Drawing Class. 2nd & 3rd Floors, School of Letters.
South Block — Cells, 4 Tiers.
North Block — Cells, 4 Tiers.
1st Floor, Cafe and Colonel's Office. 2nd Floor, Board Room, Steward, & Library. 3rd Floor, Chapel.
Residence and Offices.
Waiting Room.
Quarters for Officers, 3 Floors.
Scale of Feet
N
S
E
W

Plan of Grounds, New York State Reformatory, Elmira

DIMENSIONS AND AREAS OF THE PRINCIPAL REFORMATORY BUILDINGS AND ENCLOSURES

General Measurements:

Entire grounds, 300 acres; farm, 280 acres; main building and yard walls, 720 x 1,056; area, 17 acres; total area covered by main building, 112,000 sq. ft.; area, 2½ acres.

Dimensions of Main Building:

Front portion, exclusive of extensions and wings, 54 x 608; north extension, 54 x 372; south extension, 54 x 432; north wing, 54 x 164; central portion, main building, 54 x 78.

Cell Blocks:

North cell block, 21 x 135; four floors, 34 cells on a floor, total, 136 cells; each, 7 x 9 x 8.

South cell block, 21 x 135; four floors, 44 cells on a floor, total, 176 cells, 5 x 8.

North extension cell block, 21 x 388; four floors, 126 cells on a floor; total, 504 cells, 5 x 8.

South extension cell block, 21 x 234; four floors, 72 cells on a floor; total, 288 cells, 5 x 8.

North wing cell block, 21 x 77; four floors, 14 cells on a floor; total, 56 cells, 8 x 10.

South wing cell block, 21 x 234; four floors, 26 cells on a floor; total, 104 cells, 5 x 8.

Central Portion of Main Building:

Includes guard room, 54 x 78, 2d floor; auditorium, 78 x 102, 3d floor.

Trades School Buildings:

Trades School building, 60 x 254; 1st floor, machinist class room, 57 x 135; brass smith, 30 x 57, machine wood worker and cabinet maker, 57 x 81; 2d floor, printer and book binder class room, 57 x 123; shoemaker, 57 x 61; telegraph, 21 x 43.

Trades school building, 76 x 254; one floor, bricklayer class room, 76 x 100; stone cutter, 30 x 30; stone mason, 30 x 50; plasterer, 76 x 100.

Trades school building, 100 x 100; one floor; iron and brass moulder class room.

Trades school building, 61 x 254; 1st floor, carpenter class room, 58 x 250; 2d floor, house painter, sign painter, decorator, 58 x 250.

Trades school building, 50 x 248; 1st floor, plumber class room, 47 x 59; steam fitter, 47 x 48; tin smith, 47 x 48. Fire engine room, 16 x 26; hose tower, 13 x 13 x 71; 2d floor, drawing class room, 47 x 215; ice house, 30 x 47 x 32; capacity, 1,200 tons.

Trades school building, 50 x 114; 1st floor, stock rooms; 2d floor, band hall, 48 x 80; hardwood finisher class room, 48 x 31.

School of letters class rooms; 26 school rooms, averaging in size from 23 x 27 to 40 x 40.

Miscellaneous:

Domestic Building, 65 x 245; basement under entire building, with 9 ft. ceiling; 1st floor, officers' kitchen, 25 x 63; 1st grade inmates' kitchen, 25 x 51; general inmates' kitchen, 51 x 74; bakery, including fuel room and bread room, 52 x 46; two store rooms, 38 x 63; refrigerator, 20 x 40; refrigerating machinery, 20 x 24; 2d floor, 63 x 192; credit dining room, 53 x 63. 3d floor, officers' dining room, including serving room, 42 x 63; eight offices averaging in size, 23 x 33; library, 31 x 83. 4th floor, officers' quarters, 23 rooms, averaging in size, 12 x 14 to 17 x 20.

Gymnasium, 90 x 120; 1st floor, main room, 83 x 84; open to roof; running track on gallery extending around sides of room, 4 ft. wide, 330 ft. long, 16 laps to the mile; dressing room, 16 x 21; steam room, 16 x 21; swimming-tank room, 16 x 31; swimming tank, 8 x 27; 2d floor, drill room, 32 x 83.

Armory, 215 x 300.

Hospital, observation ward, 35 x 65; medical ward, 54 x 65; surgical ward, 27 x 44; consumptive ward, 54 x 64; dispensary, 9 x 21.

Power House, 90 x 150; boiler room, 82 x 86; dynamo room, 32 x 60; coal storage room, 30 x 86; capacity, 1,500 tons; smokestack, 15 ft. diameter, 125 ft. high.

Soap Factory, 28 x 40; 1st floor, chipping, pressing, packing and shipping room, 26 x 38; 2d floor, laboratory and factory, 26 x 38.

Greenhouse, 38 x 122; barn, 51 x 81; upper farm barn, 25 x 60; reservoir, 900 x 500 ft., 10 ft. in depth, capacity, 18,000,000 gallons; water pressure at institution, about 80 lbs.

Residences, Superintendent's residence, 88 x 110; basement, 9 rooms, 1st floor, 9 rooms, 2d floor, 8 rooms.

Cottages outside the general enclosure, Cottage A, 36 x 39, 12 rooms; Cottage B, 37 x 38, 12 rooms; Cottage C, 22 x 31, 8 rooms.

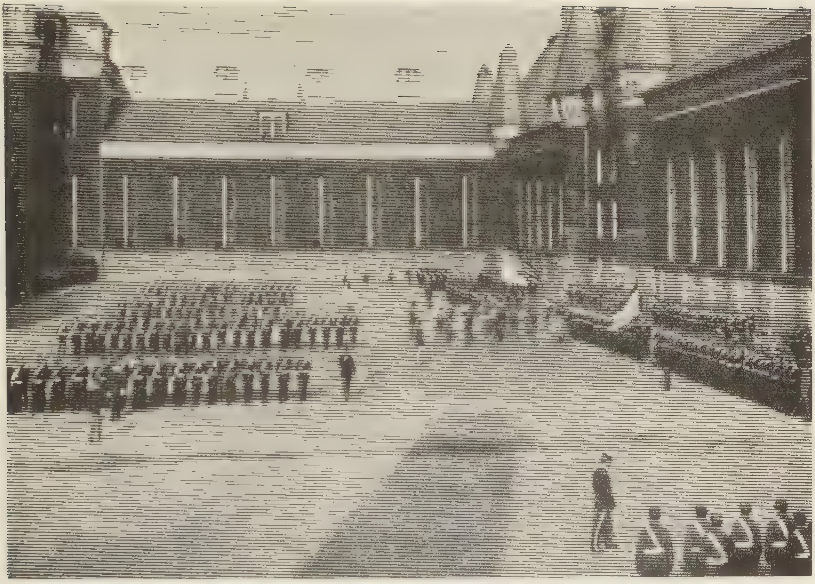
The methods employed in the reformation of criminals do not and cannot differ materially from those employed in the instruction of the young in the community at large. It is the aim of the methods employed in the reformatory to develop the inmate physically, quicken him mentally, improve him morally, teach him obedience and self-control and equip him industrially; consequently, there are provided for these purposes a gymnasium, a military organization, a school of letters, religious and ethical instruction, trades schools and a marking system.

It is designed to have each inmate take a course in physical culture. There are two general classes of pupils assigned to the gymnasium for treatment; one of these is composed of all the new arrivals; this class usually comprises between 200 and 300; its sessions occupy one and a half hours daily. The other class comprises about 150 in the forenoon and 50 in the afternoon and is made up of inmates assigned by the physician to the gymnasium for special treatment; its sessions are of two hours' duration daily. The pupils remain in the class until in the judgment of the physician they are sufficiently improved to assume the regular routine.

Certain body measurements are taken of each pupil upon his admission to the class and these are repeated from time to time by the physician, and a record of the same is kept for the purpose of ascertaining the rate of physical improvement. In taking these measurements the anthropometric system is used. The Ralston system of gymnastics is found to be eminently satisfactory and is the method practiced in these classes. Each pupil while exercising is furnished with a special gymnasium suit and at the close of his exercise he is required to take both a spray and plunge bath.

The military organization has been one of the most efficient disciplinary agencies under reformatory methods; supplementing the physical culture classes it gives the inmate an erect and graceful bearing; it makes him respectful and obedient to commands, and, by promotion from the ranks, through the different grades of officers, teaches him responsibility. It allows the use of a large number as inmate officers in the discipline of the institution, which allies them with the administration and makes the institution largely self-governing. The military department is under the supervision of a citizen officer termed the military instructor. He is commanding officer or colonel of the military organization known as the reformatory regiment.

Newly received prisoners, before they are allowed to participate



Regiment Passing in Review

Physical Culture Class

New York State Reformatory, Elmira

in the daily regimental exercises, are given preliminary training in the way of suitable gymnastic exercises for the purpose of improving their physical condition and personal bearing and in the art of handling military arms; and are taught other movements with the aim of qualifying them for taking their places in due time in the reformatory regiment. This group of beginners in military work is termed the "Awkward Squad." The reformatory regiment includes all men not in the awkward squad or excused by the physician on account of physical infirmities.

The regiment is divided into four battalions of four companies each. A citizen major is in command of each battalion and a few of the companies are in command of citizen captains. All officers below the rank of captain are inmates. The uniform of the regiment for summer is khaki and for winter, woolen cloth, consisting of black coat and gray trousers, excepting the inmate officers, who are uniformed in blue. During the military exercises, all citizen officers of the regiment and all inmate officers higher than the rank of sergeant, carry swords. The remainder of the inmate officers and the rank and file of the regiment are equipped with wooden models of rifles for use in executing the manual of arms.

The military organization includes a brass band recruited from the inmates, and a squad of artillery. For an hour and a half, four days each week, the military organization is engaged in regimental and battalion drills, preceded by the setting up exercises. Two days in the week, Wednesdays and Saturdays, the military exercises are held in the afternoon and close with a dress parade. A flag staff stands in the parade ground, from which float the national colors, raised and lowered each day in military form.

The school of letters contains 26 class rooms. In addition to these rooms, the auditorium, with a seating capacity of 1600, and a lecture hall with a seating capacity of 500 are also used for school work. The schools are under the supervision of a school director who is assisted by lecturers engaged in educational work outside the institution, the chaplains of the institution, and a group of inmate teachers. The inmate teachers are assembled each week in a normal class to receive instruction in teaching their respective classes. Outlines are prepared by the school director and printed each day for the school work.

The subjects taught in the school of letters are arithmetic, language, nature studies, history, ethics, sociology and literature. The classes in history, nature studies and ethics, sociology and literature are instructed personally by the school director, the chaplains and the visiting lecturers. The classes in arithmetic and language are divided into eleven different grades each of which has its inmate teacher who, subject to the school director, has entire charge of and personally conducts the class sessions.

The schools are in session five days each week, including Sunday, and school classes are apportioned as follows: Monday, arithmetic, American history; Tuesday, arithmetic and sociology; Thursday, language and American history; Friday, language and literature; Sunday, ethics and nature studies. The course of study in arithmetic and language is arranged practically as follows: There are twelve groups, or grades; the work in each grade consists of a four months' course of study, with examinations occurring monthly. At the conclusion of the course, the regular monthly examination includes a review of the four months' work just completed, and is the final one for the course, determining the pupil's fitness to advance from one grade to another.

In the classes in American history, nature studies, ethics, sociology and literature, the instruction is imparted by means of lectures delivered, as stated above, by the school director, the chaplains and visiting instructors. Each class is convened in one group. As aids to memory, printed outlines are issued to the pupils; these contain the salient points upon which the lectures are based. Examinations are held periodically as in the other courses.

Special classes are formed for foreigners unable to speak the English language. Inmates able to speak the different languages are assigned as teachers of these classes and outlines printed in the English language and the language of the pupil are used. Textbooks for this class are specially prepared by the school director and are printed and illustrated in the institutional printing shop.

Supplementing the school work there is connected with the institution a well selected library of about 5,000 volumes, in addition to which 50 weekly and monthly publications, including three prominent metropolitan and two local papers, several religious papers and the standard weekly and monthly magazines are taken. In addition to this there are many journals devoted especially to the trades in which instruction is given at the reformatory. The grade and character of the books allowed the prisoner depend in large measure upon his status in the school of letters.

In 1884, the Summary, an institutional newspaper designed for the instruction and entertainment of the prisoners, was established, and it is still continued. It is an eight-page weekly issued on Saturday evenings to inmates, citizen officers, and a necessarily limited outside circulation. It is edited and printed by the inmates. The paper includes general news, editorial comments, local institutional items, together with a record showing total number of inmates at time of writing, number received, discharged, paroled, or returned for violation of parole during the current week; likewise a record of changes in grade, number in school of letters and in the trades school, and other information of local interest. All matter of a criminal or otherwise objectionable character is carefully excluded.

The trades schools are under the supervision of a trades school director. Each trades class is in charge of a citizen instructor who is assisted by more or less extensive groups of inmate instructors chosen from the most advanced pupils, preferably graduates of the class. Twenty-nine trades are taught: barber, bookbinder, brass smith, bricklayer, cabinetmaker, carpenter, clothing cutter, electrician, frescoer, hardwood finisher, horse shoer, house painter, iron forger, machine woodworker, machinist, military band music, plasterer, plumber, printer, shoemaker, sign painter, steam fitter, stenographer and typewriter, stone cutter, stone mason, tailor, tin smith and upholsterer.

In the reformatory system of trades teaching, the minimum time in which a trade may be learned is designated as a certain number of hours. This total number of hours is divided into examination periods. When the pupil works at his trade for the specified number of hours allowed to the trade in which he is employed, he is examined by the citizen instructor in regard to the quality of his work and if he passes he is entitled to be advanced to the next higher period or outline. When he has successfully passed all the outlines of the trade at which he is employed he graduates from the class and thereafter until his release from the institution may be employed in making repairs, constructing new work or, if necessary, assigned as an assistant instructor in the class from which he has graduated. The members of the different trades classes also receive special instruction in mechanical drawing one day each week. Blue prints of the different outlines are prepared for the use of each inmate in the different classes, when they are necessary. Many of the buildings have been constructed by the inmates who have learned their trades in these classes.

In addition to the mechanical trades, there is connected with the institution a large farm, including gardens and propagating houses. The inmates are given instruction in agriculture and horticulture and practically all the work done in this department is performed by the prisoners.

The religious work of the institution is conducted by chaplains of the Roman Catholic, Protestant and Jewish faiths. Religious services are conducted each Sunday; the catechetical classes are held at other times. The chaplains are given the opportunity for pastoral work among the inmates, ad libitum.

The marking system is a monetary marking system, including wage earnings for the purpose of making the inmate industrious and frugal. A certain amount is allowed each inmate for his day's work, varying with the grade, standing and rank in the military organization. Each inmate is charged for board, all articles of clothing and equipment purchased at the store house, and for medical attendance. He is fined for misconduct, and failure to pass his examinations in the school of letters and the trades school. His grade and release upon parole are determined by his marking. When paroled he is allowed whatever money balance may be due him. He is given a release under the following rules:

RULES FOR INMATES, ADOPTED BY THE BOARD OF MANAGERS

1. There are three grades: first, second and third, the first being the highest. An inmate upon his commitment to the reformatory is admitted to the second grade.

2. Each inmate will be allowed compensation as follows:

First grade inmates will be allowed $ .55 per day.

Second grade will be allowed $ .45 per day.

No compensation will be allowed for Sundays or holidays unless upon special work. Inmates in third grade pay no board and receive no wages. Inmates in sick gallery and hospital pay no board and receive no wages. The following military compensation will be allowed in addition to the regular wages:

First, second, and third lieutenants and sergeant-majors receive $ .55 per week. First, second, third, fourth, and fifth sergeants receive $ .45 per week.

3. Inmates who pay for board are charged at the following rates:

First grade men, $ .40 per day.

Credit first grade men, $ .42 per day.

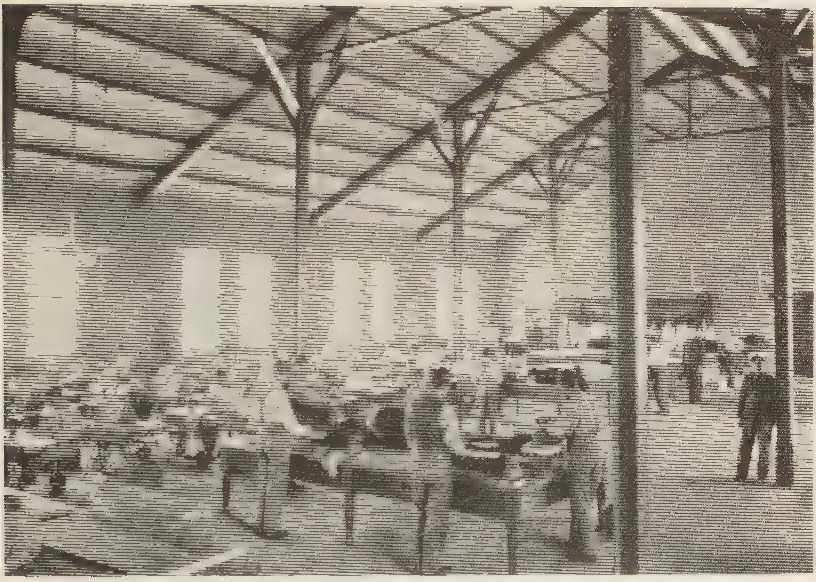
Second grade men, $ .32 per day.

Each inmate will be charged a certain fixed rate for each article of clothing purchased, except that the first outfit will be furnished free of cost. Each inmate will be charged for medical attendance at the rate of $ .15 per visit.

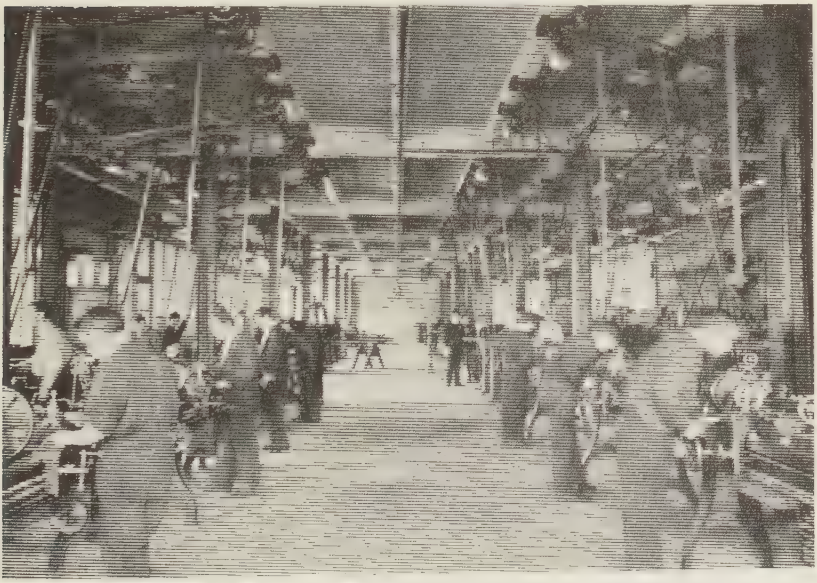
4. If an inmate fails to pass in his examinations in the trades school or school of letters, deductions will be made from his earnings as follows:

No deductions will be made for standings of 75 per cent or over, on examination.

A deduction of $1.00 will be made for a standing of between 75 per cent and 50 per cent.



Class in Tailoring



Machine Work

New York State Reformatory, Elmira

A deduction of $2.00 will be made for a standing of between 50 per cent and 25 per cent.

A deduction of $3.00 will be made for a standing under 25 per cent.

If an inmate fails to obey the rules and receives reports for such failures, deductions will be made from his earnings, for second-class reports, $ .25; for first-class reports, $1.00 and upward. The offenses are classified as follows:

First Class Offenses

Absence without excuse
Assault or fight
Crookedness
Disobedience of orders
Damaging state property
Insolence to officers
Larceny
Lying
Licentiousness
Malicious disturbance
Malicious mischief
Malingering
Profanity or vulgarity
Threatening

Second Class Offenses

Altering clothing
Assumption of authority
Arms not folded at proper time
Carelessness
Clothing not in proper order
Communicating by signs
Dilatory
Disorderly conduct
Exchanging library book with other inmates
Inattention
Laughing and fooling
Light burning at improper time
Not rising at recitation
Not properly equipped
Not at door for count
Out of place
Poor work
Quarreling
Spitting
Sleeping dressed
Shirking
Talking
Untidiness
Unmilitary bearing or conduct
Utensils not in proper place

5. An inmate receiving deductions for misconduct amounting to $1.00 or more, in any one month, will be deemed to be imperfect in conduct.

6. An inmate, to be promoted from the second to the first grade must have to his credit six perfect months in demeanor and must have passed in his examinations in school of letters and trades school. If he fails to pass in trades school or school of letters examinations he must have seven perfect months in demeanor in order to be eligible for such promotion.

7. An inmate may be reduced in grade if he makes imperfect months in succession, or for serious misconduct in any one month; and he may be restored in grade by making the next month perfect after reduction; but, failing in this, he will be required to make three perfect months before restoration is made; or a prisoner who is reduced to third grade must make thirty days of perfect record before restoration to the second grade.

8. An inmate promoted from the second to the first grade, having $5.00 to his credit in earnings, will be permitted to eat in the credit dining room and to hold conversation when at meals.

9. An inmate in the first grade may be paroled after making six perfect months in demeanor if he passes his examinations in the school of letters and the trades school, but if he fails to pass his examinations in either school of letters or trades school it will be necessary for him to make seven perfect months in demeanor before he may be paroled. Parole may be granted by a vote of the board of managers, if they have confidence that the inmate, if paroled, will conduct himself properly thereafter.

10. When an inmate has been authorized for parole by the board of managers, he may be released on or after the 20th day of the month in which he is authorized for parole, providing he has obtained suitable employment, satisfactory to the superintendent. Each inmate after he is authorized for parole will be allowed to write three letters a day, for employment, until a satisfactory position is obtained.

When a prisoner is released upon parole he will proceed at once to his place of employment, and immediately upon his arrival at such place of employment will report to the superintendent in writing; and once each month, thereafter, on date shown in his parole paper; first having his report endorsed by the supervising officer to whose care he has been paroled.

When a prisoner has been on parole for a period of six months and his reports have been satisfactory to the superintendent, and when it appears to the state board of managers that there is a strong or reasonable probability that such prisoner will remain at liberty without violating the law, and that his release is not incompatible with the welfare of society, they may issue to such prisoner a discharge from such imprisonment.

11. If an inmate who has been authorized for parole fails to obtain employment satisfactory to the superintendent, within a period of two months from the date upon which he might have been released if such employment had been obtained, he may be released without employment, upon condition that he shall proceed to the place designated by the superintendent, where he will be required to seek employment, reporting each day to the supervising officer named in his parole paper, until such employment has been obtained, when he will be governed by the same rules as an inmate paroled direct to employment.

12. A prisoner upon parole who shall violate the condition of his parole or who has again been convicted of crime may be returned to the institution upon the warrant of the secretary of the board of managers, to serve out the term of his original sentence, unless he be again paroled; and the time between the issuing of the warrant for his return, or a vote of the board of managers declaring him to be delinquent, and the time of his return to the reformatory, will not be considered as a part of the original sentence.

The following are copies of the parole blank and the absolute release.

New York State Reformatory - - Elmira, N. Y.

PAROLE

Chapter 378, of the Laws of 1900, entitled, AN ACT to revise, consolidate and amend the several acts relating to the N. Y. State Reformatory at Elmira.

Section 20. Parole of Prisoners:—The Board of Managers of such reformatory may allow any prisoner confined therein to go upon parole outside of the reformatory buildings and enclosure, pursuant to the rules of the Board of Managers. A person so paroled shall remain in the legal custody and under control

Pennsylvania Industrial Reformatory, Huntingdon

of the board, until his absolute discharge as provided by law. No personal appearance before the Board shall be permitted in behalf of the parole or discharge of any prisoner.

Section 21. Retaking of paroled prisoners:—If the Board of Managers has reasonable cause to believe that a paroled prisoner has violated the conditions of his parole, the Board may issue its warrant certified by its secretary, for the retaking of such prisoner at any time prior to his absolute discharge. The time within which the prisoner must be retaken shall be specified in the warrant. Such warrant or warrants may be issued to an officer of the reformatory or to any peace officer of the state, who shall execute the same by taking such prisoner into custody within the time specified in the warrant. Thereupon such officer shall return such prisoner to the reformatory where he may be retained for the remainder of the maximum term provided by law.

Section 22. Rules:—The Board of Managers of the reformatory shall make rules, not inconsistent with law, regulating the retaking and reimprisonment of such prisoners.

Chapter 684, of the Laws of 1906, entitled, AN ACT to provide for a state board of managers of reformatories, and to vest in said board the management of the state reformatory at Elmira and the state reformatory at Napanoch and to provide for their management and the transfer of inmates.

Section 3. Said state board of managers are hereby vested with the management and control of the state reformatory at Elmira and the transfer and parole of prisoners therein, now possessed by the existing board of managers, and all existing laws relating to the management and control of the said New York state reformatory at Elmira and the transfer and parole of prisoners therein are hereby made applicable to the management and control of the Eastern New York reformatory at Napanoch and the transfer and parole of prisoners therein.

Name	County
Alias	Court
Age	Crime
Height	Judge, Hon
Weight	Date of Admission
Complexion	Occupation
Eyes Hair	Correspondent
Trade taught while here	

The managers having confidence in you, and desiring to test your character and ability, do, by virtue of the authority conferred upon them by law, grant and order this parole, under the following rules and regulations:

1. You shall proceed at once to the place of employment provided for you, viz:

....

and there remain, if practicable, for at least six months from this date..................
.... 19

2. In case you find it desirable to change your employment or residence, you shall first get the consent of the managers through the superintendent.

3. On the .... to .... of every month and until absolutely released by the managers, you must forward by mail to the superintendent, a report of yourself certified by..
the agent of the managers; which report shall state whether you have been constantly under pay during the month, and if not, why not, and how much money you have expended and saved, together with a general and full statement of yourself and surroundings.

4. In all respects conduct yourself honestly; avoid low and evil associations, and abstain from intoxicating drinks.

5. As soon as possible after reaching your destination report to Mr. ....
.... show him this parole, and write to the superintendent, writing afterwards on the .... to .... of every month, as before stated; and when the parole period is duly served and certified, you must procure the recommendation of Mr. ....
for your absolute release ....

6. ....
....
....
....

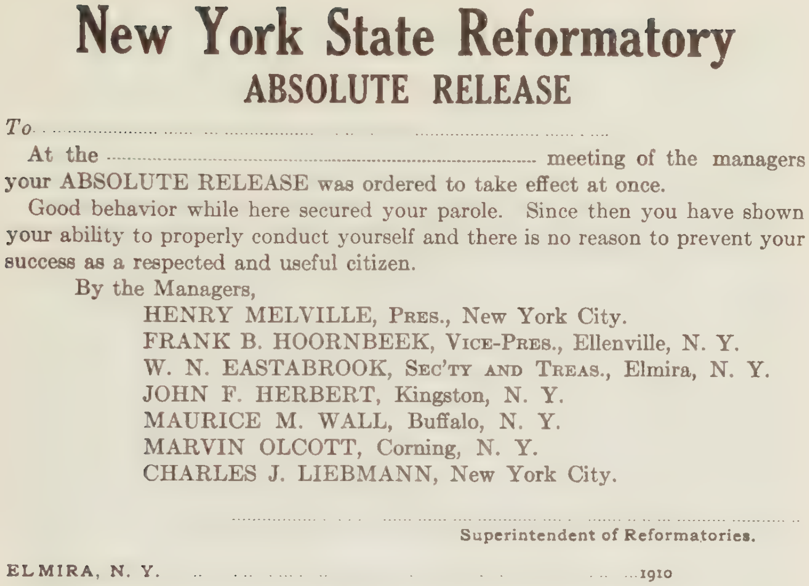
The management of the reformatory has a lively and friendly interest in you. You need not fear to communicate with the superintendent in case you lose your situation or become unable to labor by reason of sickness or misfortune.

During this period of parole, you may rely upon the aid and counsel of the managers and superintendent and may find the reformatory a desirable retreat in case of disaster.

By the Managers,
HENRY MELVILLE, President,
New York City.
FRANK B. HOORNBEEK, Vice President,
Ellenville, N. Y.
W. N. EASTABROOK, Sec'ty and Treas.,
Elmira, N. Y.
JOHN F. HERBERT,
Kingston, N. Y.
MAURICE M. WALL,
Buffalo, N. Y.
MARVIN OLCOTT,
Corning, N. Y.
CHARLES J. LIEBMANN,
New York City.

.... SUPERINTENDENT.

Elmira, N. Y. 19



New York State Reformatory
ABSOLUTE RELEASE

To ....

At the .... meeting of the managers your ABSOLUTE RELEASE was ordered to take effect at once.

Good behavior while here secured your parole. Since then you have shown your ability to properly conduct yourself and there is no reason to prevent your success as a respected and useful citizen.

By the Managers,
HENRY MELVILLE, Pres., New York City.
FRANK B. HOORNBEEK, Vice-Pres., Ellenville, N. Y.
W. N. EASTABROOK, Sec'ty and Treas., Elmira, N. Y.
JOHN F. HERBERT, Kingston, N. Y.
MAURICE M. WALL, Buffalo, N. Y.
MARVIN OLCOTT, Corning, N. Y.
CHARLES J. LIEBMANN, New York City.

....
Superintendent of Reformatories.

ELMIRA, N. Y. 1910

The absolute release is usually issued after six months, if the paroled man's conduct is satisfactory to the superintendent and the supervising officer. Since the establishment of the reformatory 13,357 inmates have been paroled. From the records, and the best information that can be obtained, at least 75 per cent have not come before the courts again.

When a prisoner is paroled he proceeds to his place of employment with instructions to report to his supervising officer. In the city of New York, the supervising of paroled prisoners is done by the New York Prison Association; in the city of Buffalo, by the Charity Organization Society, and in all cities by the chiefs of police, and in the smaller towns, by the justices of the peace.

The methods employed at the New York State Reformatory through this long period of years have attracted widespread interest, which has resulted in the establishment of similar institutions in fourteen states; and the reformatory methods in these institutions have been largely instrumental in the introduction of the probation system under which many persons are placed under a supervision that is successful in restoring them to society without commitment to an institution. While many states have not yet established distinct reformatories for the treatment of adult criminals, many reformatory methods have been introduced into the different state prisons, and the reformatory principles are now generally accepted by the American people.

EASTERN NEW YORK REFORMATORY, NAPANOCH

In addition to the New York State Reformatory at Elmira, which has been described in this article, the Eastern New York Reformatory, in Napanoch, Ulster County, was established in 1900. Before it was organized as a reformatory institution it was transferred to the prison department and used as a state prison until October, 1906.

In an annual message of Governor Higgins he recommended that it be recognized as a reformatory institution and placed under a new board of managers, to take charge of the institutions at Elmira and Napanoch, which was favorably acted upon by the legislature. A board of managers was appointed and both institutions were placed under the charge of one superintendent.

The Eastern New York Reformatory is in process of construction and the majority of the buildings have been erected. All commitments to this institution are by transfer from the New York State Reformatory at Elmira. When completed, the Eastern New York Reformatory will furnish accommodation for 1,000 inmates, and will afford an opportunity for a more thorough classification of the inmates of the two institutions.

MASSACHUSETTS REFORMATORY, CONCORD

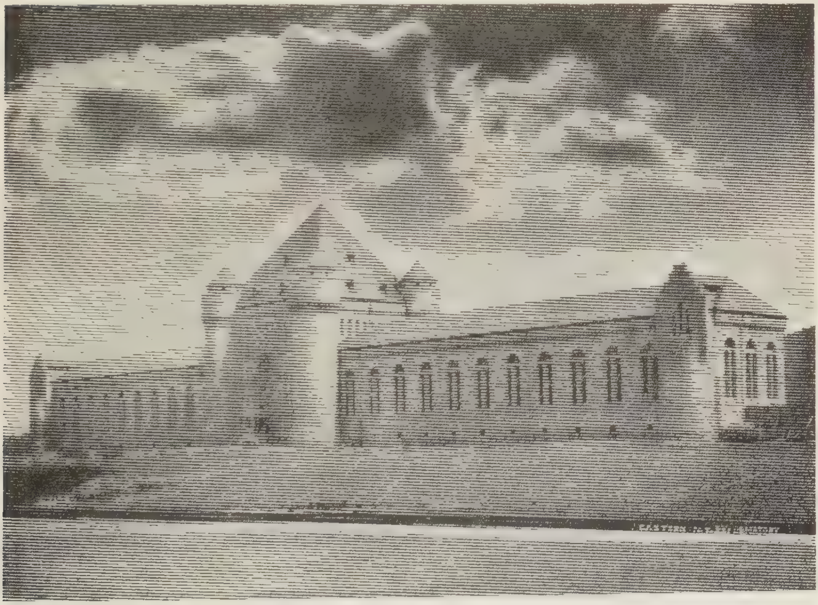
The Massachusetts Reformatory was established in 1884, in the buildings which had previously been erected for the new state prison, in the town of Concord.

This institution is under the immediate supervision of the prison commissioners, who now appoint the superintendent; originally, the superintendent was appointed by the governor of the state.

The buildings are substantial, and it is a well equipped plant. The prisoners are employed in manufacturing under the "state account" and "state use" plans. There are also well organized trades schools and an excellent school of letters. There is a large, well developed farm in connection with the institution.

The literary societies conducted and participated in by the prisoners form a special feature of this reformatory. The institution admits both misdemeanants and felons. The indeterminate sentence law is in use, but differs from this law in many states, the maximum

New Jersey State Reformatory, Rahway



Eastern New York Reformatory, Napanoch

being five years for all guilty of felonies, and two years for misdemeanants. More than 17,000 men have been committed to this institution.

CONNECTICUT

For many years there has been agitation in this state for a reformatory for male adults. Some years ago an appropriation was made and a site purchased, which was afterward abandoned.

The legislature of 1909 passed a bill for the establishment of a reformatory carrying an appropriation of $500,000. A board of managers has been appointed and a site purchased.

NEW JERSEY REFORMATORY, RAHWAY

The New Jersey Reformatory is located at Rahway. The law providing for the establishment of this reformatory was passed in 1895. The site selected was a farm belonging to the state sinking fund, and comprised about 85 acres. The original plans contemplated buildings that when completed should include four wings containing cell blocks capable of accommodating 1,024 prisoners. A central building and two wings have been completed, also a domestic building, an industrial building, a power house, hospital, and numerous smaller buildings.

The criminal courts of the state are empowered, in their discretion, to commit persons who are between the ages of sixteen and thirty years to the reformatory instead of the state prison. The inmates are detailed to different classes and do all the work required upon the farm, and for betterments and repairs. They enjoy daily educational advantages and are regularly drilled in military tactics.

Up to October 15, 1909, the total number committed was 1,876, of whom 758 have been released on permanent parole and 386 are at large, pending their final discharge. The total number of inmates on this date was 484, and as many as 573 have been in detention at one time.

PENNSYLVANIA INDUSTRIAL REFORMATORY, HUNTINGDON

The reformatory for the state of Pennsylvania is located at Huntingdon, a town of some seven thousand inhabitants in the central part of the state. The reformatory was opened February 15, 1889. The state owns about 360 acres of land, ten acres of which are enclosed within a brick surrounding wall 21 feet high which contains the reformatory buildings. The remainder of the land is largely used for farming and truck purposes. The cost of the ground and buildings to date is $1,128,000 and the number of commitments made thereto to September 29, 1909, was 6,893; the population on that date was 754.

The reformatory consists of the administration building, four cell houses containing 804 cells, the various departmental buildings and the industrial and trade buildings. A large farm barn, piggery, slaughter house and other necessary buildings are located on the farm. The management of the reformatory is vested in a board of five managers appointed by the governor of the state for a term of ten years each, the term of one member expiring each two years. No salary is connected with the office but the necessary traveling expenses are paid by the state.

Commitments are made by the courts of each of the sixty-seven counties. Sentences are indeterminate in character. The length of time inmates are held is fixed by the board of managers, dependent upon the crime for which they have been committed and the record they make in their conduct, labor and school studies. No release is granted in a shorter period than one year.

The purpose of the reformatory is to prevent young male first offenders between the ages of fifteen and twenty-five years from becoming criminals and to subject them while in custody to such remedial preventive treatment and training and instruction as may make them honest, reputable citizens; and to furnish such a system of discipline, as well as instruction in the rudiments of an English education and in such handicrafts, as may be useful to them after their discharge therefrom.

The schools of the reformatory are in session ten months of the year in charge of a superintendent of schools. Sixteen schools are in session five evenings of the week under the charge of professional teachers permanently employed as officers of the reformatory. The schools are graded and an average of 80 per cent is required to pass the monthly examinations.

Some thirty different trades and occupations are taught in the trades schools, where, under the charge of competent instructors, inmates are afforded trade instruction and take part in the erection of and repairs to the buildings of the reformatory and the manufacture of articles for use therein, such instruction being designed to enable them to secure the necessary employment on their release. The building stone is secured on the farm and the brick is manufactured in the reformatory yard by the inmates. Nothing whatever is manufactured for sale in outside markets.

Eight hours comprise a day's labor under a state law. The use of any power-driven machinery is prohibited in the manufacture of any article made for sale, and the percentage of inmates who might be employed in such work is likewise restricted.

The parole system of release has proved very effective indeed and extends for a period of about seven months after the release of the inmate, he being required to report to the general superintendent once each month, his report being verified by his employer. The total of actual loss from the violation of parole during nine years ending December 31, 1908, in which all trace as to the whereabouts of the individual has been lost, is but four and one-half per cent of the number paroled during that period.

There are four grades of inmates: first, second, third and fourth, the first being the highest and the fourth the lowest. New comers are admitted into the second grade and never reach the lower grades except by reduction for misconduct. Six months of a perfect record in the second grade results in promotion to the first grade, which gives certain additional privileges, and the same length of time at least must be spent in this grade with a perfect record before being entitled to release on parole. Continued failure to maintain a good record or to perform labor according to instructions, or failure in passing monthly school examinations, is followed by reduction to the third, or, if necessary, to the fourth grade.

The board of managers appoints the general superintendent, physician and chaplain once each year. The other officers are appointed by the general superintendent, subject to the approval of the board of managers and hold office during good behavior. As an aid to discipline the military feature has been introduced. Regular drills are held and once each year a competitive drill, between the several companies, in charge of the officers of the state national guard. A well equipped gymnasium in which all inmates working in the shops are required to spend one hour each day, has proved a very valuable adjunct to the work.

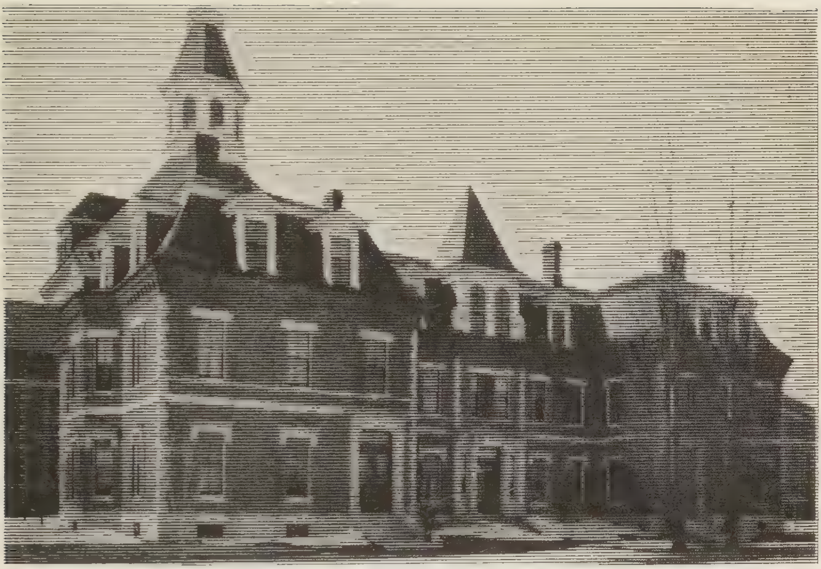
OHIO STATE REFORMATORY, MANSFIELD

The Ohio State Reformatory is located at Mansfield. While a substantial beginning was made previous to 1901, the laws in that year were revised in many important particulars which rendered the administration of the institution on advanced reformatory lines less difficult. The legislature authorized the expenditure of not to exceed 50 per cent of the earnings of the inmates for the purpose of industrial training. Under this provision of law, industrial classes were first established in the lines of building trades; the inmates were instructed in bricklaying, stonecutting, carpentry, painting and iron work, and the institution has been completed by the use of inmate labor exclusively since that time. The contract system of labor is being eliminated and the state use system substituted, under which system inmates manufacture many articles used in the other institutions of the state; the inmates are given diligent employment for a half of each day in some form of manual labor, the other half of the day being devoted to the school of letters and physical training, the chief feature of which is a thorough military training. There is a large farm in connection with the reformatory and the inmates follow courses in scientific farming. This is given considerable importance as a feature of the institution. In addition to the customary agencies such as regular chapel services for the different denominations and a prayer meeting and Sunday school, the prisoners have the benefit of a course of lectures, and systematic instruction in civic duties. A school of ethics, under competent direction, is maintained, and there is also a large and well selected library. The rules of the institution provide for a system of promotion through three grades, in order to secure eligibility for parole under the indeterminate sentence.

The management make an important feature of probation work. Those in the custody of the reformatory at the present time consist of 1,050 inmates, actually incarcerated, 500 on parole, and 200 on probation. Those on parole or probation are closely looked after in a friendly, helpful, but thoroughgoing manner, by three field officers who aim to see each man on parole or probation at least once a month. Under the present management this institution is doing especially useful work.

INDIANA STATE REFORMATORY, JEFFERSONVILLE

Indiana maintained two state prisons, one established at Jeffersonville in 1822 and the other at Michigan City in 1860, designated as the prisons of the South and North, respectively. In 1897 a law was passed which has since been considerably amended, converting the institution at Jeffersonville into a reformatory and abolishing all forms of contract labor in that institution. To this reformatory are committed all male persons over sixteen and under thirty years of age except such as are sentenced for life, or those found guilty of treason. All sentences to this institution are indeterminate, the



Office Building, State Reformatory, Concord, Mass.

State Reformatory, Anamosa, Iowa

statute fixing the minimum and maximum terms for the different offenses.

Good industries are maintained and a successful system of trades schools established, teaching moulding, blacksmithing, carpentry, cabinet making, tin smithing, painting, shoemaking, tailoring, the machinist trade, stone and brick masonry and electricity. There is a well organized school of letters, embracing the common branches and a school for the benefit of those in advanced grades.

The institutional library contains 4,000 volumes.

There are three grades through which prisoners pass, under the indeterminate sentence. One uniform, of blue cloth, is used exclusively, the distinguishing marks being in the buttons on the coats. There are eleven acres inclosed within the main walls, with an extra enclosure of three acres adjoining, used as a drill ground, where the prisoners are given daily military instruction and drill, according to the United States army regulations.

The population numbers 1,200. Seventy-six per cent of the 2,500 men paroled since the institution was converted from a prison to a reformatory, in 1897, after a supervision of one or more years on parole, have proven satisfactory; while at least 50 per cent of all the men paroled have made useful and law-abiding citizens.

THE IOWA STATE REFORMATORY, ANAMOSA

Iowa has only recently converted the state prison at Anamosa into a reformatory institution, and very little has been done as yet toward an organization under the new statutes. A school of letters has been inaugurated under the supervision of a competent superintendent, and while no trades schools have as yet been established, they are contemplated in the near future. The law established the indeterminate sentence, and provides for the commitment of adult criminals between the ages of sixteen and thirty, who have not been previously convicted of a felony and served a term in a penal institution. A parole system has been adopted.

The institution is a massive, fireproof, stone building with ideal sanitary conditions. It has large, airy and well lighted shops. It has 800 cells, good industrial and educational equipments and a farm containing 257 acres of land. The cost of the buildings to date is $1,750,000. It has an excellent location and equipment for carrying out the reformatory organization, and promises to become one of our best reformatory institutions.

COLORADO STATE REFORMATORY, BUENA VISTA

The Colorado State Reformatory was established in 1890 and is located in Buena Vista. It is situated in a beautiful valley surrounded by Rocky Mountain peaks. The farm comprises 480 acres. The buildings are surrounded by a stockade inclosing five acres. The warden's residence and administration building are located some distance outside the stockade and the main buildings.

The institution is well organized, with good industries and a large farm which has furnished employment for many prisoners. Its mountainous surroundings make escape practically impossible and men can be employed in agricultural work with a good deal of freedom.

Much attention is given to lectures from volunteers from without the institution, and an officers' and employes' school is maintained which meets at regular intervals, the warden acting as chairman, in which matters concerning the welfare of the institution are freely discussed.

MINNESOTA STATE REFORMATORY, ST. CLOUD

This institution was established by the legislature of 1887 and was at first designed for a second state prison, but was organized in 1889 as a correctional institution intermediate between the state training school and the state prison, the purpose being to provide a place for first offenders between the ages of sixteen and thirty where they might, under as favorable circumstances as possible, receive such instruction and form such habits as would thereafter enable them to maintain themselves as law-abiding citizens.

All commitments are on an indeterminate plan and every inmate may be paroled at any time by the managing board, but inmates may not be discharged from the jurisdiction of the state until the expiration of the minimum term prescribed by law for their offenses. They may not be held under the jurisdiction of the institution for a greater length of time than the maximum fixed by law as punishment for their offenses.

The first seventy-five inmates of the institution were received in the autumn of 1889 on transfer from the Minnesota state prison at Stillwater. Inmates of the state reformatory may be transferred to the state prison or to the state training school, and inmates from those institutions may be transferred to the reformatory.

From 1887 until August 1, 1901, the institution was under the management of a bi-partisan board of six citizens of the state, who were appointed by the governor. Since the date last mentioned the institution has been under the management of the state board of control, consisting of three citizens of the state, one of whom is appointed by the governor every second year for a term of six years, the chairman being the member whose term is soonest to expire. All purchases of supplies are made by the state board of control, under a system of competitive bids, and all disbursements of money on account of the reformatory must first be authorized by the managing board.

The chief executive officer is known as the general superintendent, and he has full authority to engage and discharge all officers and employes. No public official is permitted, under the law, to solicit an appointment for any person in the reformatory service, and this legal requirement is strictly observed. The conduct of the institution is entirely free from every partisan or political consideration.

D. E. Meyers was the general superintendent from 1887 until 1894. Wm. E. Lee held the position from 1894 to April 1, 1896. W. H. Houlton succeeded Mr. Lee and remained in office until April 1, 1900, when Mr. Frank L. Randall, the present incumbent, was appointed.

The total number of inmates received, prior to the first day of January, 1901, was 1209 and on that date the population of the institution was 146 young men. The total number of inmates received prior to January 1, 1910, was 2504, and the population on that date was 356. The law does not exclude the commitment of women to the reformatory but no provision has ever been made for their accommodation. Occasionally a woman is received, and she is invariably placed in the home of one of the subordinate officials, from whence she is usually paroled, after a comparatively short detention, unless she should prove intractable, in which case she is usually transferred to the state prison.

The following trades are carried on and taught, namely: quarrying, stone dressing, blacksmithing, tool tempering, carpentry, steam engineering, electrical engineering, plumbing, pipe fitting, bricklaying, stone masonry, cooking, laundering, shoemaking, butter making, harness making, barbering, tailoring, butchering, printing, gardening, farming, tile making, baking, waiting, bookkeeping, and floriculture.

A granite wall, 23 feet in height, is being constructed to enclose 50 acres of the ground, within which will be located all shops and the main garden. About 1000 acres of land are connected with the institution, and approximately one-third is used for each of the following purposes, namely: tillage, meadow and pasture. All work done is of a productive character. The institution constructs its own buildings from granite, and they are of a beautiful and sanitary character, secure and fireproof.

Three evenings in each week school is held during two hours, the instruction being by the guards and keepers. Fortnightly throughout the year moral instruction is given in the chapel to the entire inmate body. At frequent but irregular intervals lectures, musicals, theatricals and other entertainments are provided. On holidays the inmates gather in the yard for games and sports. No resident chaplain is provided, but on each Sunday of the year religious services are held in the chapel; on the first Sunday of each month by a Roman Catholic clergyman, and on other Sundays by other religious teachers who attend for that purpose from the city of St. Cloud. A resident physician is employed to whom all inmates may apply for treatment or medication each morning.

In the latter part of the year 1909 the services of specialists in nervous diseases and insanity were secured, for the purpose of examining the inmates and informing the management as to their mental condition. This work was carried on to only a limited extent prior to the beginning of the year 1910, but sufficient was reported by the specialists to indicate the importance of the new measure, as it was found that among the inmates were many imbeciles, idiots, feebleminded, demented and degenerate persons. It is expected that this line of work will be pursued until every inmate has been carefully examined and reported upon, and it is the intention that all degenerate incorrigibles, and all persons manifestly incompetent, shall be eliminated from the institution.

Ohio State Reformatory, Mansfield

VI

REFORMATORY METHODS AND RESULTS

By JAMES A. LEONARD

Superintendent Ohio State Reformatory

BY enactment of laws, judicial decisions, and the force of public opinion, society has set a standard of conduct below which the individual cannot fall without incurring the penalty commonly known as imprisonment, with classification as a criminal, either as a misdemeanant or as a felon. It therefore becomes the chief concern and fundamental function of society to prepare the youthful individual to meet the requirements of this constantly rising standard of conduct, and to become a co-operating factor in all social effort and an appreciative sharer in all social benefits. To this end society has evolved institutions,—the home, the school, the church, and government.

It so happens, however, that many fail of the wholesome formative influences of one or more of these institutions. This failure may arise from unfavorable conditions over which the individual youth has little control; or the failure may be traced largely to a subjective tendency to wrongdoing or a perverted will. But be the responsibility where it may, the result is the same. The neglected and vicious youth is unfitted for social assimilation; in fact, he is apt to grow anti-social, prone to commit offenses, and finally becomes an irritating foreign body in the social organism, disturbing its comfort, lowering its efficiency, and threatening its safety. Society, then, in accordance with the first law of nature, must take steps to protect itself.

But society must proceed in accordance with the altruistic spirit of the age, and the methods employed must be in accordance with the best thought of the times. For centuries the most common method employed to protect society was imprisonment in a general place of confinement, into which all the weak, wicked, or broken offenders were cast, without reference to age or the character of the offense committed, the only classification being as to sex and length of sentence. This treatment of the prisoner was based on the belief, "once a criminal, always a criminal," and with little thought as to methods of treatment calculated to improve his character. These great prisons necessarily became schools of vice from which men and women, with increased skill and cunning, and less conscience, went forth again to prey upon society.

With the growth of the altruistic spirit better methods of dealing with the criminal were suggested. When Victor Hugo, with inspired genius, created that greatest of human dramas, Les Misérables, and made Jean Valjean, the repentant criminal, play the rôle of leading character,—with Javert, the embodiment of retributive law, and the good Bishop, the incarnation of Christian philanthropy, the chief factors in the hero's career,—he made possible and necessary the modern, or reformatory, treatment of the youthful criminal. This great work enlightened the understanding and aroused the conscience of the people of every Christian land. It is at once a classical text-book and a source of inspiration for those who would labor to reclaim the criminal. All reformatory methods of dealing with the young offender spring from a clearer perception of the relations existing between society and the individual, and a better understanding of the mutual obligations arising therefrom. They are based on Christian ethics, which takes cognizance of both the law and the gospel.

It then becomes a matter of public duty not only to bring the youthful criminal to account and restrain and punish him, but to afford him every opportunity to rehabilitate himself as a man and to readjust himself as a citizen. To attain these desirable ends there must be *favorable conditions*, *adequate means* and *proper methods*.

The first two of these requisites, "favorable conditions" and "adequate means," being largely material, are easily provided and are found in the admirably equipped reformatory prisons of the United States. The third requisite, "proper methods," introduces the vital and dominating factor of the reformatory problem. This factor includes the institution population,—the few who assume to minister and the many who are ministered unto.

The reformatory methods to be employed are largely determined by the reformatory administrator, who early discovers that there exists no ready recipe, no scientific formula, which he may follow in his efforts to restore a criminal to good citizenship. For the conversion of men from a disposition to do wrong or a habit of wrongdoing, the winning of men from bad to good, lifting them from good to better and inspiring them to strive for the best, will always remain a divine art even the approximate mastery of which is reserved for the men and women who, in addition to character, knowledge, and wisdom, have infinite resourcefulness and consummate tact. Added to these qualifications there is often a dash of that indefinable gift spoken of as genius. This art, however, is never at its best till it has won tribute of sifted knowledge from every science having aught to offer for human betterment.

The methods employed in reformatory institutions are all borrowed from those which have been approved in the great formative institutions evolved by society for the purpose of preparing the individual for civilized life. In our most progressive reformatory institutions will be found no religious, educational, or moral training methods not sanctioned and found effective in the home, the church, or the school (including industrial training schools). These agencies are supplemented by carefully selected circulating libraries, maintained in the respective reformatories, and by courses of lectures. Inmates are permitted to subscribe for magazines, and a weekly paper is published by the institution, designed to afford a review of the important and wholesome news of the outside world.

Formal religious and moral instruction in most American reformatories is supplemented by a school of ethics or school of conduct, in which inmates discuss freely a wide range of subjects involving ethical questions. These questions are, as a rule, practical, and frequently have a direct bearing upon the conduct of officers and of inmates of the institution. The superintendent of a large reformatory reports that the success attending the experiment of employing a large number of prisoners on an extensive institution farm and other outside industries without armed restraint, is due to the moral sentiment created by the school of ethics.

As a condition to successful work in moral regeneration, the physical welfare of the young men in reformatories is regarded as of first importance, and the methods for promoting the health of these young men are such as are suggested by the highest authorities, as to employment, rest, medical treatment, diet, exercise, and complete sanitation. Military drill and a well equipped gymnasium are features of most American reformatories.

It is held fundamental that the reformatory inmate, before being restored to society, should have acquired the necessary skill and the habit of industry to render him self-supporting. The young criminal may be awakened to a new intellectual day by the educational methods of the reformatory. He may be quickened into spiritual life by the inspiration of moral truth, but he will stand secure only when his feet rest upon the rock of economic independence.

It follows from this that the employments are those which are approved by the industrial world, especially in farm and factory methods. There is a growing conviction that the earlier way of employing reformatory inmates in mere practice work, without thought of adding the product of their labor to society's stock of useful things, is wrong in principle and demoralizing in practice. That method lacked incentive, stimulus, and the satisfaction of contribution. There is a tendency to adopt the "state use system," under which inmates are employed in producing commercial products required in the various departments, or institutions of the state, or the political units thereof, the county or the municipality. This plan is giving good results and growing in favor.

The methods of discipline employed in the reformatory institution most emphasize its differentiation from the old-time or ordinary prison. The reformatory and the old order penitentiary yet existing in many states are both places of detention and restricted freedom, because of commission of crime, but there is wide divergence between them. The dominant thought of the penitentiary, in the minds of officers and prisoners alike, is punishment, and segregation as a part of that punishment, with a definite time-sentence supposed to more or less accurately measure the gravity of the crime. The dominant thought in the reformatory is, as a rule, reformation—such a change in the habits and attitude of mind of the inmate, or prisoner, as will justify at an early date his restoration to freedom as a useful member of society; the indeterminate sentence making this possible, when in the judgment of the constituted authority the reformatory methods have produced the desired results.

This wide difference in the fundamental conceptions upon which these respective institutions are based necessarily gives rise to a radical difference in their respective methods of discipline. In the institution based upon the idea of retributive punishment, the disciplinary methods are punitive, repressive, prohibitive, severe, harsh, and sometimes revolting and destructive. The tendency in the reformatory institution is likewise influenced by its dominating idea, seeking to change the character and disposition of the prisoner with a view to restoration to freedom.

The administration of the most successful reformatory prisons

Farming Scene

Dinner Out of Doors
Ohio State Reformatory, Mansfield

is characterized by thorough, firm, benevolent discipline. It never renders the personal appearance of the prisoner freakish or grotesque. It imposes no penalties tending to destroy decent self-respect or to deaden the sensibilities of the young criminal. Nor will such discipline attack the physical integrity of the man it seeks to reform, by imposing as a character-improving penalty corporal punishment, starvation, torture, or the dungeon. These harsh destructive methods of discipline have but small place in American reformatories, and are rapidly giving way, and in their stead one finds temporary isolation for reflection, followed by proper instruction, an appeal to the best and highest motive to which the offender will respond; in the meantime a strong moral pressure that restrains, supports, sustains, and stimulates the man until by a process of substitution, self-respect, self-control, higher motives, and established habits do their perfect work.

A wholesome moral institutional atmosphere is essential in order that reformatory methods of discipline may bring the desired results in general improvement and in improvement of individual character. The moral atmosphere should not be tainted by anything questionable in business methods, official appointments, or in the character or conduct of any person employed in the reformatory service. It should be so genial and warm with honest human sympathy as to be a balm for the hurt mind or the bruised heart, and a gentle stimulant to the dormant sensibilities of those who may be at all responsive. Then, too, it should be so electric with manly vigor as to quicken into life the latent manliness that is supposed to sleep in the soul of even the most indifferent criminal.

The methods employed in American reformatories in a large way have much in common, resting as they do upon commonly accepted principles, but since methods may be so readily modified by the difference of conditions, and still more by the influence of the personality and resourcefulness of the superintendent and those associated with him, there is infinite opportunity for experimentation and variety.

Certain great truths are generally accepted by reformatory administrators:

(1) That improved environment, and conscience-enlightened will, may be successfully invoked to save the criminal from hereditary tendency or predisposition.

(2) That the most hope-inspiring fact concerning humanity is the eternal improvableness of the individual man, as John Fiske

puts it; especially if taken in hand for training when young. It is to be hoped that those who are so good that they *cannot* and those who are so bad that they *will not* avail themselves of this comforting doctrine are so few as to be negligible.

(3) That the individual in the reformatory institution should not be lost in the mass. The individual soul is the entity to which reformatory effort should tend. The universe flowers in personal excellence, and just as surely crime flows from individual wrong-doing. It is extremely difficult to classify those sent to a reformatory for treatment or instruction. Every mind hath its own weakness and every heart knoweth its own grief. To be individually known, as a rule, is to stimulate deserved recognition and acquaintance.

(4) That the training of the individual will into wholesome subjection to the social will is a very important function of the reformatory. Most young criminals are sadly lacking in this respect. When the formative agencies of society fail to train the individual to cheerful obedience to proper authority, an egotist is begotten, an anarchist is fostered, and a criminal developed. The poet is right when he says:

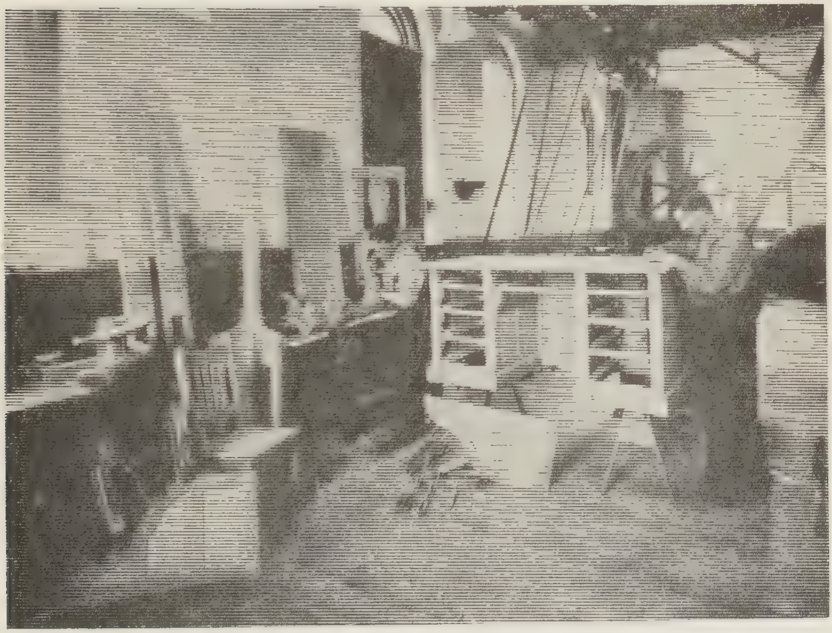
"Three roots bear up dominion—Knowledge, Will—
These twain are strong, but stronger yet the third,
Obedience. 'Tis the great tap root that knit round the rock of duty is not stirred,
Though heaven-loosed tempests spend their utmost skill."

The power to conceive of and to discharge social obligations is the highest test of individual worth.

Reformatory methods and processes do not constitute the round of transcendental nonsense that unwise advocates and partially informed opponents of the system have represented it to be. On the contrary, students of reformatory methods in the main have avoided the windy waste of speculation where no intellectual horizon sets a limit and no rational landmarks fix direction,—and from which the occasional investigator brings as yet vague and hazy deliverances, concerning "defectives," "innate criminals," "degenerates," "hereditary taint," and "prenatal disposition,"—and have confined themselves to the physical and psychical peculiarities of the individual.

In America, neither the national nor the state governments have perfected a system by which discharged prisoners can be traced during their lifetime, and their whereabouts and conduct determined at any time. Public opinion is divided as to the wisdom of such procedure. It is therefore impossible to secure statistical data

WOOD WORKING



CABINET MAKING

OHIO STATE REFORMATORY, MANSFIELD

approaching scientific precision upon which to base a statement of the results obtained from reformatory methods. Most well-organized reformatories exercise supervision and friendly surveillance for stated periods, ranging from one year to a longer time. During this period, the paroled men are in the legal custody of the institution and under the care of experienced field officers, who visit them at frequent intervals and make full reports to the management of the institution in each case. In case of recommission of crime or violation of the rules of parole, the field officer returns such violators to the institution, where they are given a hearing by the board of managers or trustees, sitting as a court, which passes upon the question of revocation of parole. The writer has before him letters from the superintendents of many reformatories setting forth their judgment expressed in mathematical terms, as to the proportion of paroled inmates who refrain from recommission of crime, and conduct themselves as good citizens. The data at hand show that the highest estimate is 85 per cent, and the lowest is 60 per cent, and that the average is 75 per cent. The writer's experience and observation lead him to believe that after making due allowance for those who may lapse after final discharge, and find their proper place in some prison in a distant part of the country, at least three out of four young men discharged from reformatory institutions refrain from crime and become helpful members of society.

The reformatory training increases very appreciably the economic efficiency of the young men who go forth on parole, as is clearly demonstrated by the average wage paid to men while on parole. This is particularly true of institutions in which industrial training and activities result in commercial output.

The success attained by reformatories through the adoption of humane and educative methods has resulted throughout the country in a modification of disciplinary methods in the old line or ordinary prisons. In fact, the administrations of some of the prisons classed as state penitentiaries have gone so far in this direction that they surpass in reformatory value some of the more conservative so-called reformatories. The effect of the success of the reformatory methods has been even more influential in modifying public opinion and the attitude of the average man and woman toward prison administration. A quickened conscience and aroused public sentiment growing out of this agitation find expression in probation laws, juvenile courts, and other methods of reclamation of children and delinquent youth. So far as a prison serves the purpose of segregation and detention of the lawless, the reformatory is as effective as the ordinary penitentiary, and because of the general application of the indeterminate sentence to reformatory administration, it is more effective both in the retention of those not deserving early release and the early release of those found worthy of restoration.

In closing, the writer desires to state that a retrospect of the years of experience in dealing with the young men committed to his care does not destroy nor weaken his faith in reformatory methods of dealing with the youthful criminal. The failures, however, are sufficient to measurably justify the contention of the pessimist and to sober the zeal of the optimist. The latter has, however, upon the whole, the larger truth and is best able to distinguish between the substance and the shadow—be that shadow never so dark.

He is inclined to believe that it is better—more wholesome—for those who are charged with the practical administration of a reformatory to lean to the optimistic; otherwise they might be disposed to minimize their efforts by absolving themselves from responsibility by attributing their failures to the total depravity of the offenders, rather than to find the explanation largely in their own limitations as to means and methods, their want of resourcefulness, and their lack of experience, knowledge, and wisdom. Cynicism is a fatal handicap to one who would win success as an apostle of hope in a reformatory.

VII

THE REFORMATORY TREATMENT OF WOMEN IN THE UNITED STATES

By ISABEL C. BARROWS (Mrs. S. J. Barrows)

BEFORE considering reformatories and reformatory treatment for women in the United States we may first ask how many women in this country are committed to prisons of any kind and what is the nature of their crimes. We shall then be better able to judge whether the system adopted by a few states is the one best fitted to reform its female prisoners. For only by reforming them,—that is, training them to become good citizens in the highest sense of the word,—can they be prevented from relapsing into crime. This too affords the surest protection to society.

THE NUMBER OF WOMEN WHO NEED THIS TREATMENT

The census taken in 1904 shows that in continental United States there were, on the 30th of June, in the 1337 prisons, jails, workhouses and reformatories, 81,772 inmates, of whom 4503, or 5.5 per cent, were female prisoners. That there were not more in a total population of about eighty-two millions is explained thus:

"Imprisonment as a penalty for minor offenses is being supplanted more and more by reformative processes. Thousands who would formerly have been sent to prisons are now placed on probation, or are dealt with by other means than imprisonment. Even where a formal probation system has not been established the tendency is away from imprisonment as the one penalty for offenses of all kinds."

Another reason is that there is a great difference in the standards of the courts in imposing penalties. Again, some states which have meagre facilities for caring for criminals imprison as few as possible. This is notably true in the treatment of female offenders. The census of 1900 gave the percentage of female prisoners as 8.5 as against the 5.5 four years later. That would seem to indicate a decided falling off in crime among women throughout the country, though the statement must be taken in connection with other facts.

The census considers some of these facts:

"More than one-half of the female prisoners in continental United States, or 56.6 per cent, committed offenses against society. Of these 25.7 per cent had been sentenced for offending against chastity, while 74.3 per cent had been found guilty of offenses against public policy, drunkenness, vagrancy, and disorderly conduct. Only 18.8 per cent were found guilty of crimes against the person and 23.7 per cent against property."

These figures may however be misleading if applied to the whole country. The area of the United States is divided into five parts for the purpose of the census, and when looked at in this way it is found that the female prisoners enumerated are not equally distributed over the entire country, but that more than one-half are credited to the North Atlantic group of states and in this division 77.2 per cent had been imprisoned for crimes against society, 5.8 per cent for crimes against the person and 16.5 per cent for crimes against property. The South Atlantic group shows 25.2 per cent crimes against society; the North Central 45.7 per cent, the South Central 11.1 per cent, and the Western 56.8 per cent. To quote again from the census:

"These percentages have little bearing on the comparative prevalence of crimes against society among women of the different sections, but indicate the differences in the degree to which the population is centralized in urban communities and chiefly the variations in the standards of punishing female offenders by imprisonment. Violations by women of the laws concerning chastity are not confined to any particular section, yet it is chiefly in the North Atlantic states and to some extent in the North Central states, that females are found in prison for such violations.

"Drunkenness, disorderly conduct and vagrancy were the offenses for which 1754 of the 4503 female offenders were incarcerated. More than one-half of all the females in the United States who had been sentenced for drunkenness were reported from Massachusetts, and about one-half of those sentenced for disorderly conduct and vagrancy, from New York. A great state like Illinois, on the other hand, showed but nine female prisoners incarcerated for vagrancy and none for either of the two other offenses. The number of females in prison for crimes against society is to be regarded, therefore, not as a measure of the frequency of the commission of such offenses by women, but rather as an indication of the policy in respect to the enforcement of the law in the case of women.

"Of the 845 women in prison for crimes against the person, 54.7 per cent had been sentenced for homicide; 25.9 per cent for assault, and 15.6 per cent for robbery. Here figures are reversed, or 145 women in the South Atlantic group were guilty of homicide against 60 in the North Atlantic.

"Among the 1069 female prisoners sentenced for crimes against property 4.5 per cent were guilty of arson, 9.5 per cent of burglary and 81.2 per cent of larceny.

"Except in Massachusetts, New York, Illinois, Colorado, and, to a limited extent in a few other states, the indeterminate sentence is not applied to women. In all 33.8 per cent of the women had been committed for terms of one year or more; 23.3 per cent, however, for less than five years."

Of the population of the prisons of the United States in 1904, numbering about 81,772, the women then furnished 5.5 per cent. With the exception of a few northern states women who are prisoners are subjected to the treatment of the ordinary criminal. They are clothed, fed, guarded, and compelled to work according to the way each state cares for its prisoners. They are, however, as a rule, under the oversight of some woman, either a matron specially appointed for the purpose, or the wife of the warden or jailer. In the cities a police matron has charge of them from the time of arrest till they are committed to the care of the institution to which they are sentenced. Separate quarters are provided for them in all institutions, though too often there is a possibility of communication with the men who are in the same building. This is markedly true of county jails, where women are sent not only for detention till trial, but to serve short sentences. The work furnished for them is of a lighter kind than that given to men,—sewing, the easier sort of laundry work, and the repairing of clothing. In many prisons they are allowed to do fancy work at odd hours which they may sell for their own advantage. In very few is there any special industry provided for them. The state prison of New York, at Auburn, is a notable exception in this direction.

YOUNG WOMEN IN INDUSTRIAL SCHOOLS

But besides the nearly 82,000 adult criminals enumerated in the United States in 1904, the census of that year shows that there were in 93 institutions for the young, 23,034 juvenile delinquents between the ages of seven and twenty-one. Of these, 4,857 were girls. Forty states and territories have juvenile institutions; ten have none. About half of them are for boys only, twenty-two for girls alone and about as many for both boys and girls. We concern ourselves here only with girls between the ages of fifteen and twenty-one, of whom 814 were committed during the year 1904. They were of many nationalities and several religions. The admirable report of the reformatory school for girls at Hudson, New York, which has trained and paroled many, and has at present about 300 in the institution, thus describes them:

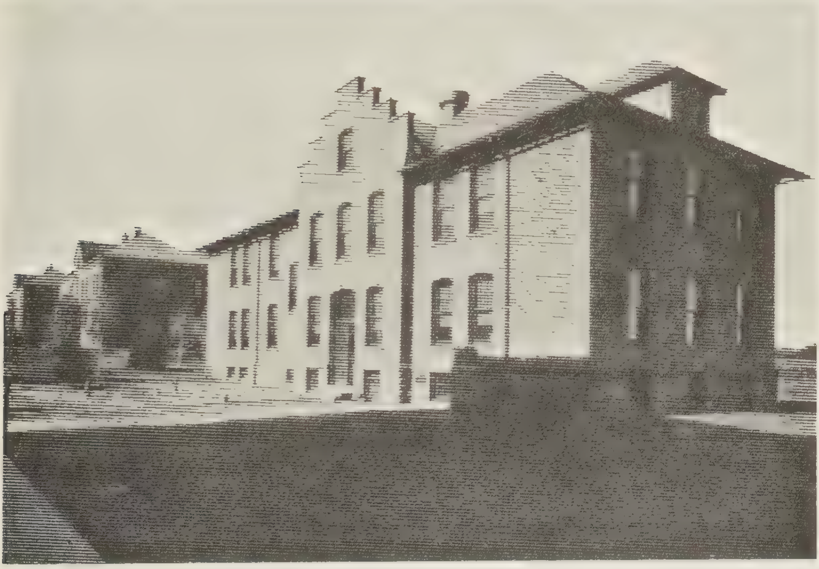
"We have coming to us young girls from the city and from the country; girls without homes who have lived upon the streets; girls from homes of drunken parents; girls from homes of degradation and squalor and vice; girls from homes that have lost the mother, or from poor homes where the mother has to go out to work; girls from homes where the parents are careless, indifferent, neglectful; girls from homes of the foreign born who do not know how to meet the problems of American life; girls from homes where there has been lack of judgment, or where heredity and environment have defeated good endeavor,—all bringing unknown material, of whose histories, formative influences, mental and moral and physical conditions, temperaments, natures, capacities, the officers of the school must somehow get knowledge and understanding.

"We have some girls ignorant of letters, of manners, of morals, of the decencies of life, of truth, of honor; some not ignorant, but defiant and without hope because they have done wrong; some with false knowledge of their physical natures, developed beyond their years by a harmful environment; some with no habits of self-control, accustomed to gaining their ends by exhibitions of violent passion; some deficient mentally; and some forced by circumstances into situations in which they were in danger of becoming depraved.

"The problem is to know and understand each girl, to find out what must be given to her and what must be taken from her, to destroy the false notions and ideas, the wrong habits and tendencies, by teaching simply, clearly, strongly, continually, by life, by words, by books, by work, by play, by every look and act, the principles which control right living; by inculcating such habits of work and giving such training that she will in some measure be prepared to be self-supporting and maintain the standard of living which she will gain in the school."

This description of girls sent to reform schools would answer for the majority of those sent to reformatory prisons. The objects and the methods of training of these two institutions are so similar that it is well to devote space to a brief study of reformatories for girls. Several have been in existence many years and in

Summer Evening Scene, Reformatory for Girls, Hudson, New York



Falker Cottage, Western House of Refuge, Albion, New York

certain states are doing the work that reformatory prisons do in others.

Twenty of these juvenile reformatories for girls are supported in their respective states by state funds entirely. A few are private institutions receiving state aid. One of the oldest and best in the country is the Industrial School for Girls in Lancaster, Massachusetts. It is on the cottage plan, as are most of the others. All of the six New England states have such schools. New York has the one to which reference has been made, in Hudson. Pennsylvania has a large school doing the highest type of work under an accomplished woman, Mrs. Martha P. Falconer.

The State School for Girls of Indiana is one of the most recent in its actual site, since for a long period it had no independent existence, but clung as an appendage to the woman's prison for thirty-seven years. The Indiana girls' school was cut away, root and branch, from the prison and planted out in the country, seven and a half miles from Indianapolis, in 1906, and has now entered upon such renewed activity that it is already showing what a boon it is for girls who have gone astray to be given another chance for life in the open country, away from temptation and unsmirched by contact with prison walls. For no matter how clean those walls, nor how well the prison is conducted, the public at large will always associate the prison air with the girls who have been so unfortunate as to have ever breathed it.

Instead of being in a single building, as in the city, the cottage system has been adopted, though a false economy on the part of the state has insisted on making some of the cottages too large. The idea of having small houses with little groups of young people in them was that each cottage should be a real home, with an intelligent, sympathetic woman at the head to act as mother for the often worse than motherless girls. Certainly many of the young girls and women who come into industrial schools and reformatories have never known real home life or true mother love. It was believed that if small groups could be placed in cottages enough motherly women could be found to give to them the sort of affection which would most surely help to redeem them. The efficacy of this method has been proved over and over again in many places, but a state is in danger of losing some of the good that might come from the system if the cottage is enlarged into an "institution." Eight so-called cottages are already in use, but the last one houses nearly fifty inmates, and no woman can truly mother fifty girls of about the same age and win their love and confidence, as she might half that number.

In each cottage are two women who train the girls in domestic affairs and look after their health, their manners and morals, as well as after their food and clothing. The girls go to a central school with excellent teachers, where music is one of the chief branches inculcated, though otherwise the course is the same as in the public schools outside. In addition to domestic work they learn sloyd, basketry, millinery, torchon lace-making, chair caning, embroidery, crocheting, drawn work, knitting of hosiery and carpet weaving. In the vegetable garden of forty acres they do all the work suitable for their strength, under a woman gardener. A physician looks after their general health, an oculist and a dentist after their eyes and teeth. As soon as they are fitted to go out they are sent to families, reporting to the institution every month.

At the time of preparing this report there were 325 girls in the cottages and 225 out on parole. The latter earn from two to three dollars a week. About 85 per cent do well after going out. The training usually demands at least a year in the school: three months in the laundry, three in the kitchen, three in the dining room and three in the sewing room.

When one sees the younger children playing about the grounds and the young women coming and going with apparent liberty, it hardly seems like a juvenile prison, though in the strict sense of the word it answers that purpose. Miss Charlotte Dye, the superintendent of this excellent school, is a woman eminently adapted to the office she holds. She had her first experience with these delinquents while they were under the prison roof, where she had been accustomed to seeing them behind locked doors. In her second report she says:

"I must confess that it was with some misgiving that I entered into this work where doors and windows are with few exceptions unguarded, fearing the girls would take advantage of their liberty and cause much trouble by escaping. Now I am glad indeed to be able to report that although at first many did leave us, the honor system is gaining in strength each month and within the past year we have had few escapes. Hence, if I were now to choose between bars and no bars I should say in terms most emphatic, 'No bars, except on one cottage and the hospital.'"

Many of the girls are colored, as they are also in the prison. The colored girls occupy one of the largest cottages. In the prison they have a table to themselves in the dining room.

It promises well for the homes into which they will eventually go that the superintendent can say, "In no department can we find

Luncheon Under the Trees, Philadelphia House of Refuge

happier girls than in our kitchens. The pride of a girl who exhibits a beautiful loaf of bread of her own baking is only equaled by that of one who can show a neat piece of needlework. Plain, neat hemming by hand is fast taking the place of machine work. Even the youngest take pride in their sewing."

The conversion of Miss Dye to putting these girls on honor is justified not only in Indiana, but in all places where young people are trusted. One can hardly believe how early the sense of honor is developed in children, and how it may be appealed to in dealing with apparently the worst ones. No one has had stronger evidence of this than Judge Ben Lindsey of Colorado, who has sent five hundred boys to reform schools and other places of detention entirely alone, trusting to their honor, and only five failed him and all of those were caught. During the same period prisoners under the care of police officers were less successfully transported from the court room, for the police lost forty. This spirit of honor is cultivated in all the reformatories for women and girls, and though the young respond more quickly than the older women, as they do in all things reformative and educative, yet the trust reposed in the women is rarely forfeited and every time they conquer their desire to break their word they acquire a strength which surely helps them for life in freedom later.

There is no space to describe all the industrial or reformatory schools for girls and young women from which prison features are as far as possible excluded. One of the best is in Illinois, a wonderful institution under a wonderful woman, Mrs. Ophelia L. Amigh, under whose maternal and practical guidance hundreds of girls are undergoing the wisest training in domestic affairs in the garden, in the greenhouse and in the book schools. They live in cottage homes, each cottage with two good women presiding over it. Like Michigan, Wisconsin, Ohio, Connecticut, and Pennsylvania, Illinois furnishes such an excellent sample of the sort of discipline needed for refractory and criminal girls that one is at first not surprised that these states have as yet established no reformatory for adult women. That at least would be the excuse they might offer, if, in providing these industrial schools for girls and young women up to the age of twenty-one, they took charge of all those who yield to crime and vice. But unhappily many a woman falls a victim to drink, or commits a crime after she is beyond the age of the industrial school, and sooner or later she will find her way into the workhouse, the jail or the prison, unless the state makes better provision for her. The best economy, looking at it only from that side, is to place them where they can have help to overcome their evil habits and propensities to crime, and thus far nothing has been found so well adapted for this as separate reformatories under the charge of women. The difference between the women in reformatory prisons and in these industrial schools is chiefly a difference in age, not in offense.

Michigan, for instance, which has no reformatory prison for women, has an excellent industrial school at Adrian, under the charge of an experienced superintendent, Mrs. Lucy M. Sickels, whose last report, the fifteenth biennial, shows that she follows the methods of the other schools, and many letters from girls out on probation give evidence of the success of her work. Yet the statistics read exactly like the statistics of a reformatory prison. Though the ages of the girls range from seven to seventeen at entrance, yet of 234 received in one year 73 had been arrested in houses of ill-fame, 10 had been mothers, 90 were in the habit of drinking to intoxication and three were addicted to the use of morphine, cigarettes, and tobacco. Girls of seventeen who have acquired such habits need the same discipline as older women. About 25 of them were guilty of larceny, forgery, and other crimes. That the treatment such young women receive in these industrial schools does really change their characters and their lives is well known. Scores of them are now living in homes of their own, with good husbands and beautiful children whom they are bringing up with love and wisdom. In spite of many discouraging cases and many failures there are enough genuine successes in every state carrying on a good industrial school to amply justify the devotion of the women who are doing the work, and the expense that the state bears in supporting these institutions. It is a satisfaction, therefore, to know that though comparatively few states have established reformatory prisons for adult women, yet many are doing excellent work for girls up to the age of twenty-one.

Another state which makes provision for delinquent girls up to the age of twenty-one, but as yet has no reformatory prison, is Iowa, with her school at Mitchellville under the care of a man, Mr. Frank Fitzgerald. It is on the so-called cottage system, but with 215 girls in four cottages there can be little of the really family life, excellent as it may be looked upon as an institution. The general methods of education and discipline through work are adopted here, with perhaps an unusually strong pressure on the development of self-respect. A writer in *The Southern Workman*, referring to the school says:

"The cardinal principle on which the Iowa Industrial School for Girls is conducted is to implant and develop the saving pride in each ward. The effort is made to put the girl on such a high plane that she will simply refuse to stoop to a low life. She is taught to respect herself."

The girls, of course, are taught some industry by which they may be made self-supporting when they go out on probation. All are compelled to have a perfect conduct record before parole. While on parole they must report twice a month for three months; after that every month until excused. They must lead an honest life, be industrious, abstain from bad company and the use of intoxicating liquor, and lead a self-respecting life. While in the school each inmate receives instruction in music every day, and this has been found of great value on release. The school has an orchestra of sixty pieces and more than one girl has been helped to success through this love of music in its different forms.

Evidently Mr. Fitzgerald agrees with the late Hon. Philip C. Garrett, well known throughout the United States as a leader in reform, who once gave his opinion as to the reason why so few women are in prison as follows:

"Perhaps oftener than all else the force of habit working through education and tradition, and that regard for the opinion of others which constitutes a wholesome and civilized propriety, is the bulwark that keeps a man from dangerous error. He may sin; he does not commit crime. This applies to most men, and with double force to women, and is probably the reason for the small proportion of the sex in prison cells. They have too much regard for the good opinion of others. In fact, a study of the reason for the small number of women compared with the number of men in prison should aid us in reaching conclusions as to the prevention of crime. It is not to be thought that because a person belongs to the female sex she is thereby intrinsically less liable to depravity. Yet it is an undeniable fact that she commits less crime punishable by imprisonment. This fact must therefore be due to some peculiarities of the female character and environment,—partly, perhaps, to greater timidity, to less independence of action, less self-reliance, and receiving more lenient treatment at the hands of men from motives of gallantry, but largely to a love of admiration, and consequent dread of the ill opinion of others."

The state of Colorado cares for its wayward girls and young women in an excellent industrial school at Morrison managed by a woman who was formerly an officer under Dr. Davis at the reformatory at Bedford. She is carrying out in admirable fashion the principles which guided her in the New York institution, so that this school is known as the Little Bedford.

Thus it is seen that a chain of these reformatories runs across the country, and leaping the Rocky Mountains the same spirit is found bearing similar fruit on the Pacific coast, though the older women in these far-away states are still waiting the day to dawn that shall see reformatories established for them.

The new state of Oklahoma has not yet made provision for delinquent women and girls in any reformatory, but it has at least put its forty-one women prisoners by themselves while waiting for suitable buildings.

REFORMATORY METHODS

In studying the different methods adopted by these reformatories one is struck by the fact that on the whole they are alike. Certain schools lay more stress on one thing, and others may choose something quite different as the most essential element in the formation and *re*formation of character. Thus, in Massachusetts more emphasis is laid on regular work at special industries than on any form of definite book education. In another perhaps music may be used as one of the strongest sources of help, as at Hudson, New York, where classes in vocal music are held four times a week and girls are assigned to them regardless of "grades," solely on account of their musical qualifications. This might seem at first sight a mistake, since nowhere else are the different grades allowed to mingle. But as deportment must be absolutely satisfactory if the girls are to retain the honor of singing in the choir, good conduct has been greatly stimulated; for they delight in the music, and even though before coming to the institution their sole knowledge of song may have been of the cheap music hall variety, yet they hear nothing of that kind in the industrial school, where only the best music is used,—anthems and part songs by such composers as Sullivan, Abt, Nevin, and others of real worth. All of the industrial schools and reformatories employ music as a means of education, but not all select the very highest type. In some there are excellent orchestras, as in the industrial school of the state of Washington, where the girls play with wonderful skill and taste.

Gymnastics and certain games, like basket ball and tennis, are employed with great success. They not only prove an excellent means of improving the health, but develop fairness, courage

In the Laundry

A Busy Group

Western House of Refuge, Albion, New York

under defeat and a spirit of comradeship. It gives them, as Dr. Bruce says, "health, grace and fun."

Wherever these institutions are placed on large farms where each cottage has its own garden, flower beds, and lawns, the opportunity for generous rivalry in creating things beautiful is afforded the girls, and the chance for outdoor employment as a means of promoting their health and good temper is eagerly embraced by the various superintendents.

There may be some difference in minor points, but in each one we find the graded system, parole upon earning a certain degree of credit, industries that will be useful in the outer world, lighter employment as a means of recreation, physical drill in the gymnasium, with baths and scrupulous neatness of person and domicile, attention to music, drawing and the simpler forms of designing, good academic schools in most, outdoor work, and recreation of all kinds. The moral and religious side is never neglected, though it is the spirit and not the form of doctrine that counts. Doctrines may be taught at certain hours by outside teachers, but nowhere does the state do more than try to develop a religious and reverential atmosphere, and inculcate the belief that the noblest ideal of pure religion is to keep one's self unspotted from the world. Honesty, industry, purity, and all the other virtues must be cultivated by the girl who lives up to that ideal.

The highest types of women are at the head of these institutions. There is a game which little children play called "Follow my leader." The girls who are gathered into these character-saving institutions might well try to follow their leaders, for like Goldsmith's country parson they not only point, but lead the way.

WOMEN UNDER SHORT SENTENCES

We have seen that where a state has a good industrial school she seems to take it for granted that that is enough. But that the wonderfully well managed school for girls and young women in Geneva, Illinois, with approximately 500 inmates, and 350 out on parole, is far from meeting the needs of that great state, the records of one institution alone would show. The House of Correction in Chicago admitted 1154 women last year. Farther than that bald statement the annual report has little to say about them, save that a recreation ground had been opened to them. One would think it high time for that improvement since this is the 36th annual report. The most terrible fact about the situation is that some of these women have been arrested, convicted, and committed scores, and some of them hundreds, of times—one 210 times! Could anything show more strikingly the folly of the short-term sentence and the need of genuine reformatory influences than the statistics from this place: 13 women committed 50 times; four, 61 times; ten, 110 times; one, 120 times; one, 130 times; two, 160 times; and one, 210 times?

If anything further were needed, a look at some of the statistics for the state of New York would be sufficient. The number of women admitted to the various prisons and jails during the year was a grand total of 26,439, and the great majority were for short sentences. Happily this does not mean that as many individual women were arrested, tried, and sentenced. Owing to the vicious system of giving short sentences, running from three days to six months, these figures must include many persons sent several times. Still there were more than 1800 women in custody on any one day during the year. Yet but 544 were receiving proper reformatory treatment in institutions established for that purpose. It may be argued that since more than half of the women sentenced to short terms are middle-aged or elderly, a reformatory system is of no avail for them. But some better method of caring for them should be devised than is at present followed. The state commissioners of prisons believe this. They say:

"The present method of caring for these prisoners is unwise. It is not beneficial to themselves and is a waste of money. The endless chain of arrest, conviction, discharge, and re-arrest occupies a large amount of the time of public officials which should be devoted to other work, and is a large expense to the city without any corresponding benefit either to the city or the women.

"It is intended by the establishment of a state farm for women, to break this endless chain and segregate these women for a considerable time on a farm in the country, giving them healthful outdoor employment, with the hope that some of them may be reformed. Even if this hope is disappointed, this new method is wise as a matter of economy."

For this colony the New York legislature of 1908 provided a commission to select a site, appropriating $100,000 for the purchase, and for starting an institution for women misdemeanants over thirty years of age, who might be classed as incorrigible. Mothers with children under two years of age may take them, too, if necessary. Women who have been convicted of misdemeanors or crimes five times within two years are to be sent there. Three years is the maximum of detention and they may be paroled sooner if advisable. All these women are to be employed in out-of-door work of a horticultural or agricultural character, or in dairy work. This colony is to be known as the State Farm and it is to be officered by women only: A superintendent, a resident physician, and a woman superintendent of agriculture. It is believed that farm occupations will improve the general physical, mental, and moral condition of the residents. It is a practical illustration of confidence in the curative virtue of life in the open air. Provision will be made for five hundred women who will be gathered from all parts of the state. A site of three hundred acres has been selected.

THE NEW YORK STATE PRISON FOR WOMEN

Before studying the reformatories, or reformatory prisons, of the United States, a word more should be said about women in the ordinary prison. It is evident that there is no such similarity between the care of women in the state prison, the workhouse, the jail, the house of correction and the reformatory. In the early days, when Massachusetts was talking about establishing an institution to take charge of all female prisoners, the various sheriffs and jailers throughout the state made a loud protest. They could not spare their female offenders! They wanted them for jail drudges. They were, if not the hewers of wood, certainly the carriers of water. They baked and brewed and scrubbed and washed and ironed and did a score of things that the men might just as well have been trained to do for themselves.* So today in many a place there is absolutely no consideration of the need of reforming those who are committed for misdemeanors and crimes. Of the 4,503 women who were in prison in the United States at the taking of the last census, less than 900 were undergoing reformatory treatment. Yet 33.8 per cent of these women were sentenced for more than a year. A year is not long enough to be very effective in reforming the habits of a sin-and-vice-stained woman, but it is vastly better than nothing. If this large per cent could have spent the year in Auburn, under Mrs. Welshe, in what is nominally merely a state prison and not a reformatory,—though in reality excellent reformatory principles are carried out in that institution,—the per cent of those returning would have been smaller than one may feel sure it is under the present indifferent methods. The discipline there comes so nearly into line with discipline in reformatories, that it may be described here, as showing what is possible in a prison that is not under the rules of a reformatory proper.

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* Times have changed. The Massachusetts Prison Commissioners say in their report for 1908, referring to one of the jails where they used to employ their women prisoners as drudges: "The master finds no inconvenience or trouble in managing his prison without the assistance of women prisoners, and the experience at Fitchburg is a sufficient answer to the claim that women are indispensable for the work of the laundry and the sewing-room."

The old prison at Auburn is well known by people who have studied penological questions,—because it was here that the familiar "Auburn system" of treating prisoners originated,—collective labor, with separate confinement out of labor hours. The prison has a large population, 1246 at the close of the fiscal year, of whom 96 were women. About one-half are colored and a little over one-fourth foreign born. Nearly three-fourths of them are sent from New York City and the immediate vicinity of that great hive of humanity, and they have no knowledge of country life or industries. They are under the charge of Mrs. Annie M. Welshe, a woman of experience, tact and broad and intelligent sympathy. The prisoners have schools, a library of more than a thousand volumes, besides three hundred bound magazines, a well-fitted reading room, and religious services on Sunday, when the Roman Catholics, the Jews, and the Protestants have men from their own faith to minister to their spiritual growth. Excellent food is supplied, the rooms are exquisitely neat, and the whole atmosphere of the place is bright, humane, and uplifting. In addition to doing the necessary cleaning, cooking, and laundry work for the prison these women are employed in weaving on hand looms. Last year they wove 15,365 pairs of blankets and 7,994 yards of toweling. They also made 616 mattresses and more than a thousand pillows. They are quite capable of following these employments on leaving the prison. But even more interesting is the fact that in the heart of a large city, for Auburn is a place of more than thirty thousand people, the state has enough ground within the walls to allow them to work at gardening under a skilled woman gardener. The amount of produce from this garden is surprising,—more than eleven hundred bushels of vegetables and fruit, a thousand bunches of asparagus, four thousand heads of cabbage and many other things. This adds greatly to the variety of diet and lessens the expense of providing food, but of far greater importance is the fact that outdoor work has proved so good for these women who have never known anything of it before; for out of the 96 prisoners 61 were housekeepers or house servants, and not one in the list of sixteen other occupations had had any acquaintance with gardening. Mrs. Welshe says of this form of occupation:

"It has been the means of restoring many of the women to health and strength, while at the same time fitting them for work which they may follow when free. We have demonstrated that this farm work, which has been established eight years, is much more humanizing than any other trade in our prison."

The average expenditure per convict per year in this prison for women is $229.90. During the year twelve women were paroled. They are sent when possible to country homes instead of to any city. This shows what is possible in a state prison which is conducted under the ordinary regulations for the care and discipline of offenders. The women are graded, marked for conduct, and helped and inspired to better living. Good as the method is, it is not ideal. It does not secure as good results as are obtained where women are kept wholly separate from men. The state prison for women for New York is under the same roof as the prison for men, and Mrs. Welshe herself is not the absolute head, but ranks only as "matron" under the warden.

The state of New York, however, does not depend upon this prison to take care of all the women who are convicted of crime or misdemeanors. For girls in their teens she has the excellent institution at Hudson, and for those a little older she has two reformatories, one at Albion and one at Bedford. These do not care for all the convicted women of the state, by any means. In the various workhouses, jails, penitentiaries, and municipal institutions there are 1,656 women, and the number arrested and admitted to penal institutions in the entire state reached last year the tremendous total of 26,439. Yet in the two reformatories there are but a few more than 500, showing that the empire state has by no means reached the ideal which a governor of Massachusetts held up so many years ago as desirable for a commonwealth,—that it should try to reform all the women it convicts.

REFORMATORIES FOR ADULT WOMEN

We come now to consider the reformatories for the older women and for first offenders between the ages of seventeen and thirty. Of these there are but four in the United States, one in Indiana, one in Massachusetts and two in New York. Connecticut, New Jersey,*

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* Since this paper was written New Jersey has voted to establish a reformatory for women.

Pennsylvania and some other states are discussing the advisability of establishing them. The women of Pennsylvania who are working for this reform hope to see the first active steps taken by the next legislature.

THE REFORMATORY PRISON OF MASSACHUSETTS

To take up in their order the reformatories which have been established in the United States for the training and discipline of convict women one must consider Massachusetts and Indiana as almost abreast of each other. They were both working for this reform during the same period, though it is probable that the agitation started earlier in the more eastern state. As long ago as 1874 Hon. Emory Washburn called attention to the voluntary association of Massachusetts women who for four years had been engaged in an unselfish and noble-hearted way in awakening the public to found a reformatory prison for women. He showed that Massachusetts at that time had 650 women distributed in the jails and houses of correction whose "capacity to harden and degrade and familiarize the women with crime is seen in every one who becomes an inmate of one of these abodes of guilt and sin." What he wrote of these places thirty-six years ago is just as true today, in all but a woefully small number of jails, for the "indurating processes of these prisons of the Commonwealth" are everywhere degrading men and women both.* The plan was to gather all of the women prisoners together in one or two institutions, to be built in such a way that the women could be classified. Already, in 1871, steps had been taken to separate the female from the male prisoners, but though this was done to a certain extent the women were still under the same roofs with the male convicts, and the matrons in charge of them were subordinate to the sheriffs.

A bill was passed in 1874 appropriating $300,000 for the purchase of a site in the country, and arrangements were made for a reformatory prison for women to care for 500 inmates. The buildings were completed in 1877 and the first prisoner was received November 7, 1877. Since that time land has been added and other structures have been erected. The original site had but 30 acres. There is now a fine farm of 400 acres which yields abundantly all sorts of things for use in the institution and for sale outside. The prison as it was constructed gave the first essential in a reformatory, an opportunity for classification. Provision was made

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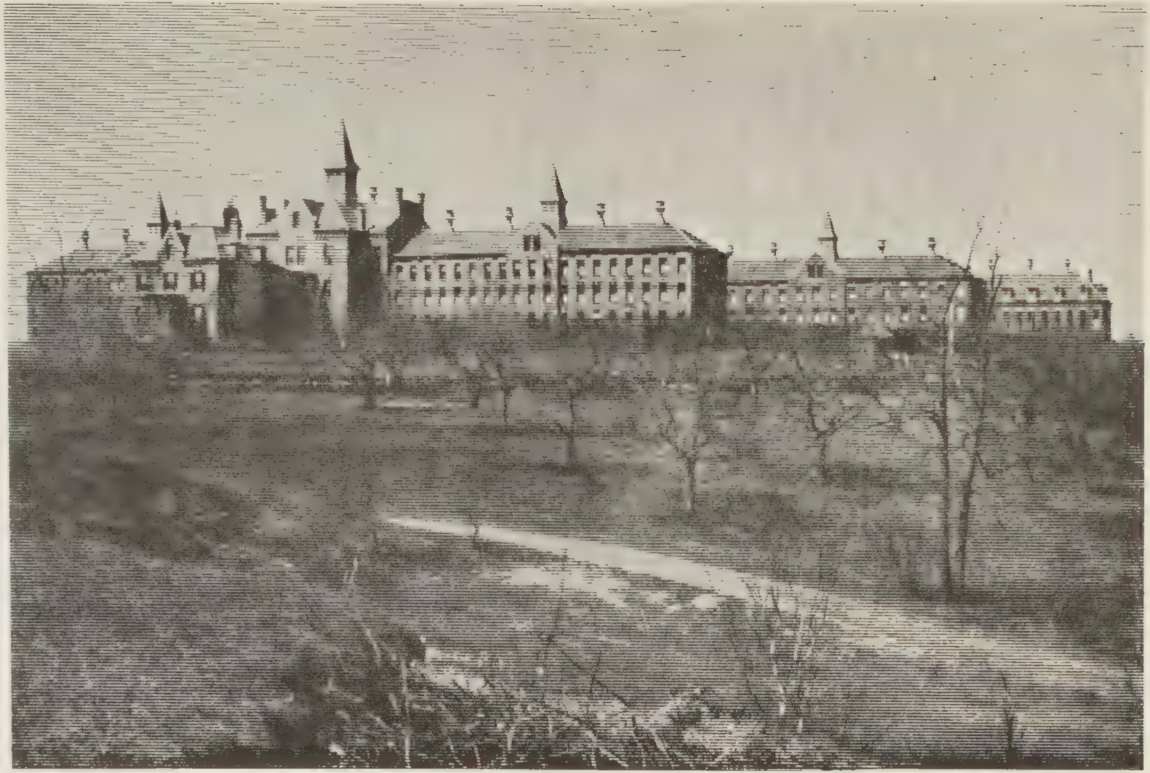
*There are still 363 women in the jails of Massachusetts.



Reformatory Prison for Women, Sherborn, Massachusetts

for four grades, each class having a separate part of the building to itself. They met only at the service in the chapel, and though they could see each other there was no chance to speak.

But classification alone was not enough. When Mrs. Ellen C. Johnson became the superintendent she found that there must be a wider field for employment, and as she knew and appreciated the value of outdoor work, she was instrumental in having this farm added to the grounds and she herself stocked it and superintended all the operations outside as well as inside the walls. Though the fine laundry work was useful as well as remunerative, and the shirt-making and other industries helped to fit the women for work when they should be free, there was no employment about the prison which was done with the joy that the work of the garden and the orchard afforded. Work became a reward.

Mrs. Johnson was superintendent from 1884 until her death in 1899. She left a noble record as a prison superintendent. Her successor was Mrs. Francis A. Morton, who has given twenty-nine years' faithful service in this prison, having served as matron, as deputy, and for eleven years as head of the institution.

The prison is situated on a beautiful upland stretch of land in the town of Sherborn, about twenty miles from Boston. The buildings, with a front of 350 feet, are quiet and dignified, of plain brick, made beautiful with clinging vines and by the sweep of the well-kept lawns and fine trees that surround them. They enclose several courts which are used for laundry purposes, for exercise yards, and one, Mulberry Park, for an assembly place in summer. At one time the experiment was tried of raising silk, as a prison industry, and for this purpose a grove of young mulberries was set out. They flourished well and are now handsome, queenly trees. But the worms which should feed from their leaves are almost a myth. Eggs were imported from Japan, and for some seasons did fairly well, but the Massachusetts climate is not adapted for silk-raising. Unless kept on ice the worms insisted on coming to light before the trees had leafed out. There was the farther difficulty of finding women skilled in winding the cocoons. So that industry faded out, leaving only some beautiful skeins of silk in the museum and a silken flag dyed and woven by an American firm from silk raised by these women. The trees themselves however make a beautiful temple where chapel service is held, instead of in the building, when the weather is suitable. The farm and orchards lie round about, and it is an interesting sight in the autumn when the apples are ruddy to see the women gathering them under the wide-spreading trees.

The farm, the buildings, and the gardens are kept in fine order. An Englishman was once going about the place and admiring the beauty and good taste manifested in its care, when he remarked to the superintendent, "But this is too much luxury for *us*." "Sir," she replied, "our only luxury is cleanliness," and he acknowledged that perhaps it was, for it was the most noticeable thing in the institution, from the shining coppers in the kitchen to the well-scoured tables in the dining rooms and the spotless corridors and shining windows.

The criminal women of Massachusetts have not turned out to be so bad as the architect and trustees presupposed and there has had to be a re-arrangement of the interior, providing more rooms for the better classes and fewer for the refractory.

The rooms,—for they are not called cells,—average about 6 x 9 x 9 feet, though some are larger. There are also several very high recreation rooms made glad with sunshine and bright with birds and growing plants, where the women assemble for a short time daily under the matrons' eyes. At this hour books are read to them or stories are told. They may use their needles and listen, but they may not interrupt nor carry on conversation among themselves. They vary in age from sixteen to sixty, and are committed under the so-called indeterminate sentence. The judge does not fix the term except for some felony for which imprisonment for over five years is demanded. If it is a felony that calls for less than five years the prisoner cannot be held in the reformatory longer than for that period. If guilty of a misdemeanor the prisoner cannot be held more than two years.

The women enter in the second grade. A woman may earn five credits a day and must have eight hundred and forty before she can be promoted. If her conduct is perfect for four months she receives one hundred credits in addition to what she has earned daily. This shortens the time for getting into the first grade. When a woman is considered ready for release, which may be at the end of eight months for a misdemeanant and ten for a felon, she is recommended to the board of commissioners who have the power to release her. After release she has to report to the commissioners once every month, misdemeanants for two years and felons for five. After that they are free, but it is believed they are better able to resist temptation if they feel that they have some one looking after them, so even the long term of five years is not considered too much. If a woman is true during that time she has usually acquired habits of industry and honesty that will abide with her. No statistics are given by the superintendent as to the number of women she believes rescued from vice and crime through the discipline of the reformatory, but she believes there is reason to think that the work is successful in a majority of cases.

Formerly many babies were born in the reformatory. That is now considered a mistake, as it gives a bad record to an innocent child. Women under sentence who expect to become mothers are now sent to the excellent state hospital at Tewksbury, and after confinement they are returned to the reformatory for the remainder of their sentence.

The women of the prison are of ten or more nationalities and have been imprisoned for many crimes against person and property, but the greatest number for disorderly conduct, drunkenness, larceny, and lewdness. Concerning them Mr. Frederick Howard Wines has written: "Here they are. The prison door has closed upon the dismal record of their temptations and their trials. Shall it be to them the door of the tomb, the portal of living death, or a door of hope, through which they may catch a glimpse of a new and higher life, after the purification of sorrow shall have done its appointed work? Few of them are above the social rank of mill hands or domestic servants. One need not know their individual histories to know what has brought them here. Neglect, brutality on the part of others; in themselves, disobedience, self-will, laziness, the love of dress, the want of education, poverty, animal appetites and passions cultivated and not held in check; contempt for the teachings of religion; restlessness, discontent, a roving disposition, curiosity to see life, social ambition and the desire for a career; evil associations, the lack of a home or of a good home, in general the want of training in the power of self-control."

The discipline consists in training the inmates to work and to exercise self-control. Those who cannot read and write must learn to do so, but book classes are not considered so important for these adult women as a training in habits of industry. It is, however, an incentive to them to learn to read as there is a good library of more than 1500 volumes from which they are at liberty to draw books, which they read with great delight in their spare time, many acquiring a taste for reading which they had never dreamed of before, and which, on release, they can gratify, as almost every town and village in Massachusetts has its free public library.

In addition to the day school for the more illiterate women there are evening classes three times a week for instruction in arithmetic, geography, grammar, United States history, and spelling. Gymnastics are also taught three times a week. Of other ways of training these women, the superintendent says:

"Two half-hours in the week are devoted to talks on the home, motherhood, the care and training of children, nursing, health, diet, temperance. The women are informed of all the important news of the day. Chapel services are held every evening, as well as on the Sabbath. The religious services are made plain and simple, that the truths may be easily grasped. The summer open-air evening service is a delightful feature. It brings quiet to mind and body after the day's work is done. Considerable attention is given to music, and two evenings each week after service are devoted to the practice of song. About two hundred books are taken from the library every week and read with eagerness, many women reading two books a week. In the garden meeting, when opportunity is given, matrons aid in instruction and entertainment by reading stories. Women are encouraged to memorize poems, to be used at holiday entertainments. On all holidays time is given for recreation, when there is a relaxation from all duty.

"A variety of industries is carried on. Housework is taught in all its branches. In the sewing-machine room, where for many years the making of shirts has been a prominent feature of the institution, a good trade can be learned, and when liberty is regained an honest and comfortable livelihood can be earned. Plain sewing, repairing, and knitting stockings for house wear are also done. Some hand-looms have been introduced and will be used for weaving flannel and striped shirting and toweling.

"The laundry is conducted on the plan of teaching the women to become self-supporting in this line of work. Our hospital always affords an opportunity for one or two women to become proficient in nursing under the direction of a trained nurse. The dairy has an important place among the industries and some of the women employed in this department become experts in butter-making.

"Some of the outdoor work on the farm is performed through the spring, summer, and autumn months. This work inspires the women who are sent out into garden or field with a love for country life and they are, therefore, better fitted to take places of

Prisoners in Kitchen, Reformatory Prison for Women, Sherborn, Massachusetts

employment that may be found for them away from their former associates."

The cost per capita in this prison is $247 per annum. The women raise vegetables for themselves, cultivating fifteen acres.

Though this reformatory prison for women was originally planned for 500, and actually built for 300, the resident population December 31, 1909, was only 257, averaging twenty-eight years in age; with 174 out on probation, two-thirds of whom do well. Of course there are more women arrested and tried and committed to other institutions in the state than this would indicate. Still the number of women in jails and workhouses is small compared with the number of men. Commenting on this the chairman of the board of prison commissioners, Mr. Frederick G. Pettigrove, says:

"It may be interesting to note that although in the population of Massachusetts there are over 70,000 more females than males there has not been under imprisonment at any time in the last dozen years more than one-sixth as many women as men. At the close of last year only about 12 per cent of the prisoners were women."

In one of the best accounts of this reformatory prison that has ever been written, Mr. F. H. Wines, in speaking of the discipline, says: "I applied to the discipline at Sherborn every known test. I saw no conversation in the shops, certainly less than in a well-governed school. I watched the women in line, those in the first and second divisions clasping their hands together behind, those in the third folding their arms in front, and those in the fourth swinging one arm free and carrying a book or paper in the other. I stood in the halls at night and listened for a sound, but could hear none. I noted the generally respectful manner of the prisoners to their officers. I sat upon the platform in the chapel, and again in the rear, without detecting a symptom of disorder. A result like this is not achieved in a day; it is due to constant pressure and vigilance long kept up."

This, which was written during the superintendency of Mrs. Johnson, is just as true today, except that there are no longer four grades. But the discipline is as good, the punishments as few, as rational, and as humane as at any time in the existence of the institution, while in many respects there is the progress which would be expected with a woman at the head who has kept abreast of the demands of modern penology. Concerning this work she says:

"It has been proved many times that severe punishment without any brightness or education will not prevent women from doing wrong. It is my aim to bring into the lives of these women everything that I can which tends towards reformation, and to make them feel that they have found a friend who is interested in their future welfare."

THE WOMAN'S PRISON OF INDIANA

It is an illustration of the greater ease of moulding public sentiment in the West than in the East, that though the women of Massachusetts and the women of Indiana began an agitation in behalf of separate prisons for women in the year 1869 and succeeded in that year in securing the interest of their respective legislatures, yet the men of Massachusetts moved so much more sluggishly in response to these appeals that the Indiana women had the satisfaction of seeing their institution opened in 1873, while the equally ardent and intelligent women of Massachusetts had been repulsed again and again, though some of the best men of the state fought by their side, and their reformatory prison was opened only in November, 1879. It may be said that the delay gave them time to do things in a wiser way. The site in Massachusetts was chosen in the country, where it should be, and they kept it exclusively for mature women. The Indiana board put its building in the city and united under the same care naughty girls and delinquent women, a mistake of serious importance, but happily now admirably overcome.

We see, then, that the state of Indiana was working for the improvement of her convict women during the same years that Massachusetts was struggling for the same reform. The scandals growing out of the confinement of men and women in the state prisons was one of the chief causes that led to the provision of separate institutions in both cases. In 1869, it was resolved to found an institution to be known as the Indiana Reformatory Institution for Women and Girls. This was opened in 1873. In 1889, the name was changed to the Reform School for Girls and Woman's Prison, and ten years later the great mistake of having the two classes of women together was partially rectified and the departments for girls and for women were made distinct, one being called the Industrial School for Girls, the other the Woman's Prison. Since then a yet greater reform has been inaugurated and the girls have been taken into the country and placed upon a large tract of ground and the women are kept quite apart from the juvenile offenders.

The boards of managers of both institutions are women, differing in this from the Massachusetts institutions for female offenders, which have both men and women upon their boards. In both states the superintendents are women. In Indiana, as well as in Massachusetts, the physician is not a resident, though the chaplain is. The superintendent of course resides in the institution and has charge of the buildings and property as well as of the inmates. She governs in accordance with the rules laid down by the board of managers and she is instructed, under the law, "to employ such methods of discipline as will, as far as possible, reform the characters, preserve the health, promote regular improvement in the studies and industrial employments of the inmates of the institution, and secure them fixed habits of industry, morality, and religion."

The superintendent has power also to place any girl at apprenticeship outside of the institution if her decision is approved by the board of managers. Although the state meets the expenses of these institutions as a whole, yet parents who have children committed for disobedience, or insubordination, are expected to pay the cost of subsistence, unless by reason of poverty they are unable to do so.

The building and grounds in Indianapolis formerly occupied by the girls and women together are now used for women alone, but a further change in the laws has added a new class to the institution, those who were formerly sent on short sentences to county and municipal jails. Referring to these different changes in the management of criminal women and girls, the board of trustees of the prison says:

"The separation of the two institutions has proved as beneficial to the woman's prison as to the girls' school, more time and attention being given to the women, and it has resulted in more conscientious work and excellent behavior on their part. This discipline has been exceptionally good, they themselves taking a pride in the fact that all were striving to be first-class women. In the last six months there has been almost no punishment necessary, and what was given was of a slight order."

The original Woman's Prison, then, now has two departments, the so-called "penal," which includes the women sent for longer terms, and the newer "correctional." The correctional department was opened February 3, 1908, and made ready to receive women from all the counties in the state. There are accommodations for 100 and it is fitted to give excellent training and employment. The admirable superintendent, Miss Emily E. Rhoades, finds, however, that the evil of the short sentence pursues them there. Although the women are no longer sent to county jails for ten days or thirty days as they used to be, they are not sent for a long enough time to overcome the evil habits which brought them under arrest. She says: "The greatest drawback to the accomplishment of better work in this department is the short sentence. If they received an indeterminate sentence, the same as the women who are sent to the penal department, it would enable them to get benefits from the occupations which they cannot obtain otherwise."

The women in this department are of a low grade, and having led idle, useless and debauched lives, they can neither recover their health nor acquire habits of industry and skill to earn an honest living in the brief year for which they are sent on a definite sentence. They are employed in the kitchen, the laundry, the dining and sewing rooms and in the garden, but there is no fixed industry in which they can acquire skill. It is vastly better than the old way of treating them, though not all the judges of the state have begun to take advantage of the excellent opportunity afforded for dealing with this class of women; but gradually more women are being sent to be cared for there and when they can be held long enough for real improvement the jails will eventually lose all their female offenders. On the 31st of December, 1909, there were 94 inmates, from twenty to forty years of age. The jails still house nearly 70, but it is said that one county after another is taking more interest in sending these women from the counties to the state institution. The judges have yet to be educated to enforce the present law. Indiana will probably soon enact a law sending all convicted women to the state institution.

The prison stands in ample grounds, with many beautiful shade trees, and though in the heart of a great city, with a population of 180,000, yet there is also room for a garden where some excellent fruits and vegetables are raised. The care of the lawns also gives work to the women. The house itself is kept in immaculate order. One sees here the growth of refinement as a minister in reforming character. In early days a sheet of enameled cloth was thought quite good enough for prison women to eat from, and undoubtedly it was cleaner than what many had used in their own homes. Tin and agate ware were the dishes used for the table. Now linen covers are spread over the clean tables, simple but attractive china makes the room attractive, and a vase of flowers is not considered too good for prison life. The result is that the women take pains to keep their table cloths unstained and as they are laundered in the institution there is nothing but the initial expense to be considered, for laundering is the chief industry taught. A woman who has learned

Girls Making Hay, Philadelphia House of Refuge

to iron table linen as finely as the beautiful cloths on the table of the superintendent are ironed, can always find employment when free. The advantage of learning to do such work well is noticed in the dresses that the women wear. The ordinary ugly prison garb is never seen in the Indiana Woman's Prison. Different colors are used in the different departments, and for the different grades, but the material is pleasing, is made up into simple, well-fitting dresses, protected by tidy aprons and made becoming by a strip of white in the neck. The old repressive idea, which tried to kill out a girl's instinctive love of dress by making her wear something hideous, is exchanged here for the idea of making every woman and girl find beauty in cleanliness, simplicity, and good colors. These are lessons they are bound to carry away with them, and these young prison women, in their clean Sunday frocks, with hair simply dressed offer no mean contrast to the outside shop girl with her cheap false jewelry, showy clothes and masses of "ratted" hair.

Of course they all learn needlework, as well as the care of the linen, the kitchen and the house in general. They cut and make their own clothes and in addition there is great rivalry in doing fancy work during their hours of recreation, which they are permitted to sell to chance visitors, or to send out to their families. The proverbial Satan, who finds some "mischief still for idle hands to do," will have little occupation in the Woman's Prison of Indiana. Every girl has a pocket in her apron and in that pocket she may keep the collar she is embroidering, the handkerchief she is hemstitching, the table mat she is crocheting, or any other small bit of work. The bell signals for dinner. The inmates file in, but there is always a pause of perhaps five minutes before the last one is in her seat and they are ready to sing grace. Out from every pocket, as soon as she sits down, comes the bit of fancy work and they may sew till the signal for grace before meat. As all must leave the table at a given signal and as some will eat longer than others, there will be again a minute or two for another stitch. More than that, after certain meals they are allowed to turn and face the officer, who sits on a little platform at the side, and while the tables are noiselessly cleared by those on duty for that work, the rest may sit for fifteen minutes or half an hour at their needlework while the officer reads aloud to them some interesting book. Exquisite drawn-work, soft knitted garments and pretty embroidery are the results of this saving of scraps of time. Fingers that have never known the use of a needle become skilled and patient. Time that was frittered away is filled with doing something for dear ones at home, and best of all, habits of industry are laid that will outlast the days spent within the prison walls.

In the penal department the women are between the ages of seventeen and sixty-three. Nine of them are serving life sentences and one has been there twenty-seven years. From this department women are paroled and each one is visited several times during the year by officers appointed for the purpose. They also report to the institution every month. Twenty-two are out on parole and all are doing well. Their reports are countersigned by their employers. The homes for these paroled women are carefully chosen, usually in the country for reasons of health as well as because it is believed that they are less subject to temptation to return to their old ways of life; though, as the records show, the greater number of women who are arrested are from the domestic class. There are many who believe that if factory life could be made more healthful and less nerve-racking, there would be comparatively few coming into the ranks of women prisoners from that part of the industrial field. If that were true it would be better to find good factory places for women under parole. As things are, however, factory life is ill paid and the conditions are not good. During the term of imprisonment the health of the women is carefully looked after by the attending physician and the resident nurse. The women are compelled to bathe at least once a week and a pitcher of hot water placed in each room every day gives them a chance to keep clean. The diet is specially arranged and plenty of good food is served at three meals, coffee once and tea once. The physician's records show that the health improves under confinement in prison, so good are the sanitary conditions. The cost per capita is $295.81. The women cultivate nearly sixteen acres of land, which gives an excellent dietary.

It is not only the physician, aided by the nurse, who thus looks so carefully after the health of the women sent to this prison. All of the other officers possess in a great degree the spirit of loyalty to the altogether admirable head of the prison, Miss Rhoades, and the spirit of co-operation is felt at every turn. One of the most marked differences between institutions for men and those for women is the feeling of comradeship and esprit de corps that the officers in a woman's institution manifest if the superintendent is the right woman. The reformatories of the United States which are under the charge of women betray marvellously little of the traditional jealousy supposed to exist when women are associated in public work. It

Making Cement Walks, State Reformatory for Women, Bedford, New York

would be hard to find nobler examples of women forgetting themselves and working for the highest interests of those confided to them, than in these reformatories. They are a credit to the country and the example of such women is more potent for good upon the girls and women in the institutions than any one thing devised for their discipline and reformation. Mrs. Morton, Miss Rhoades, Dr. Katharine B. Davis, Dr. Hortense Bruce, Miss Curtin, Mrs. Amigh, Miss Dye, Mrs. Falconer, Mrs. Sickels are brilliant examples of the type of women needed for reformatory work, and the United States is happy in having found them. If only the forty or more states which have as yet failed to devise the best methods of caring for women who are criminals would profit by these examples, they would do well.

NEW YORK STATE REFORMATORY FOR WOMEN

As it was the women of Indiana and Massachusetts who were the first to labor so diligently for the establishment of reformatories in those states for delinquent women, so it was the women of New York who interested themselves in the proper care and discipline of the criminals of their own sex, and at last the legislature yielded to their siege and an institution was opened at Bedford, Westchester County, New York, and Katharine Bement Davis, Ph.D., was appointed superintendent. The first inmate was received in May, 1901. Dr. Davis is still at the head of this remarkable institution and she has associated with her a staff of women who are in close sympathy with the purposes of the reformatory. No men are employed save as engineers and their helpers, a farmer, a carpenter, and guards, in all numbering eleven. Their work is almost entirely outside the grounds.

The buildings number nineteen or twenty: a reception house, seven cottages, a disciplinary building, a school house, a hospital, a laundry, a structure for cold storage, a power house, stables, and three small houses for employes. The reception house accommodates about 125 and the second and third grade women are entered there in two divisions. For, as in all modern reformatories, the inmates are classified into three grades, the first grade being the highest and having special privileges. The cottages, which are substantial but plain brick houses, are the homes of the first grade girls. They are homes in every sense, each being complete in itself with its own officers. They are spotlessly clean and are made attractive with good pictures and a few plants, while sunshine floods them and the pure air from the surrounding hills comes freely in at the numerous windows.

The nursery provides for twenty mothers and as many babies, with a large, cheerful room where by day the little ones are kept during their waking hours in the charge of two of the mothers selected for this duty. The mothers of the older children—children may be kept in the institution only till they are two years old—do their share of the work of the house, going into the book school and the industries school for a few hours daily. Everything necessary for the care of the babies is under the same roof,—a light and airy laundry, with plenty of hot water, drying and ironing rooms, a dining-room, kitchen and tiny clean bedrooms with good beds and cribs. The health of the children is almost phenomenal, considering the condition of many of the girls on their admission, and reflects great credit on Dr. Margaret Syles Halleck, the skilful resident physician.

The building for schools and industries is also admirably adapted for its uses. Classes in sewing, weaving, basket making, cooking and dressmaking are busy all the time. There is also a class in hatmaking; not the ephemeral constructions of flowers and feathers and ribbons, the love of which has helped to bring some of these girls to sorrow, but hats cleverly fashioned from the palmetto palm. Dried bunches of leaves are brought from the south, bleached a little, though still leaving the soft natural tone, softened enough to work, stripped by an ingenious little device which shreds the leaf into working shape, braided and sewed by hand, making attractive, light, durable and rational hats. They are worn by the inmates at their outdoor work in the sun and are furnished to some other state institutions, but under the New York law they cannot be sold.

The book schools are carried on with excellent system and thoroughness, and united with this work are various ways of making it tell in everyday life. All the pasteboard boxes, file cases, report covers, etc., used by the institution are made by hand as a part of the school work. The dimensions are given, drawings of the article to be made are put upon the board, and the calculations of the figures gives a useful lesson in fractions, while the making of the article teaches deftness and skill of fingers. Actual accounts of table supplies, farm products, and groceries, give further material for calculations, and as each girl is allowed to earn a little money and to receive small sums from home, the accounts that she is obliged to keep of her receipts and expenditures give her the most practical form of arithmetic. In fact, the characteristic of the education in this institution from the laundry up to the chorus singing, is that at every stage it relates itself to life, both inside and outside the prison. It is the realization of the suggestions of Philip Garrett that prisoners should learn something which will "insure reformation instead of degradation."

Though the site of Bedford was chosen for sanitary reasons rather than for a chance to employ the girls in farm work, yet they have much outdoor employment in caring for lawns, berries, and the vegetable garden. More than that, they have *made* the lawns. The irregular sandhills had to be graded down and the lawns laid out before they could be tended. With wheelbarrow and spade the girls joyfully smoothed down the hills and terraced the slopes, the state paying only for the grass seed. Concrete walks were needed and concrete flights of stairs leading from one terrace to another. The superintendent, who believes in the possibility of women doing whatever has to be done, secured a little outside instruction and some carpenter work for the forms for the steps and the girls have done the rest (with some help in the grading), including the drawing of stone and cinders and the getting out of sand and concrete, and from cottage to cottage one walks on broad, smooth, well-laid cement paths, and climbs about the grounds on handsome flights of solid steps ten feet wide, which are an immense credit to all concerned. The girls do all the inside painting and decorating, and this year in their well trained ambition have done much outside painting of the ironwork of the buildings. Clad in gymnastic garb they have even hung outside the reception building and painted the third story bars. Wholesome courage and steady nerves cannot fail to be developed by such work. They take sensible pride in it and consider it an honor to be chosen to do hard things. Most of this outdoor work is done by the girls of the lowest grade. They seem to have more brute force or animal spirits than the better class of inmates, so Miss Davis takes special pains to harness their animal spirits to useful work, and in thus doing she has proved herself an admirable charioteer. Having enlisted their strength in things useful she is using it in beautifying the grounds as well as for beautifying and developing the character of these wayward girls. Many of them are hysterical and noisy at night, disturbing the more quiet ones. But this employment has a wonderfully soporific effect on them. After they have wheeled a barrow, or shovelled loam, or filled trenches, or cut ice, or made hay, or driven a team, for a few hours daily, they go to sleep as soon as their heads touch their white pillows and wake only when the sun calls them to a new day.

The ten cells with their foot-thick walls, the space between them deadened with sand, built especially for noisy and refractory girls, are not needed for those who have worked by day in the sunshine under the open sky. This disciplinary building might well be copied by other institutions. It stands apart by itself so that those who like to disturb others cannot do so, and the guards find that there is much more quiet at night when the would-be offenders have no audience. The cells are perfectly lighted and aired from above and have both openwork and solid doors. The girls are never sent to these cells for a definite time and each one may limit the time there by her own behavior. It is a truly indeterminate sentence.

Along with plenty of work and excellent disciplinary schooling goes a suitable amount of recreation. Gymnastic classes are compulsory and afford pleasure as well as health, but in addition there are amusements of many kinds, musical and dramatic. The girls even gave an outdoor performance of A Midsummer Night's Dream successfully. They also have concerts by their own glee club, and with graphophone records. Many illustrated travel lectures are given to them. Picnics in summer and birthday celebrations in winter help to make the life as nearly normal as possible and keep these delinquent girls and women from dwelling on the clouded past and the still doubtful future, for unhappily it is too true that with the best of preparation for a return to a life of freedom the outlook for any woman who has been an inmate of even a reformatory is dark. She may try her first flight under parole, with a chance to return to this safe refuge if her first attempt is a failure, but there is always a blur on the horizon of the future, thicker and darker and harder to pierce than ever lies before the man who leaves prison walls. But such a blur is sunshine itself compared to the dark way in which women must walk who come out of the jail or the ordinary prison.

Perhaps the one building at Bedford which may be considered unique and which is now long enough established to have proved the wisdom of building it, is the Morris Honor Cottage. Dr. Davis had the thought of such a cottage in mind at the opening of the prison, but was wise enough to conceal her Utopian idea until the right time for unfolding it. The writer of this sketch was fortunate enough to be present when the building was opened. She visited it again after

At the Ice House, Reformatory, Bedford, New York

several years' trial had proved what a spur to good conduct it has been. Dr. Davis's own words concerning its inception are as follows:

"Our girls as a class are anti-social. It is very hard for them to see their own conduct in its relation to the lives of those around them. They are individualistic in the extreme. They have never thought of the necessity of government and law, and can see no reason for obedience to anything but their own impulses.

"Beginning with the early fall a series of talks and discussions was held with the groups in the various cottages and with all the girls in chapel. Beginning with the origin and development of law we work up to the form of democracy under which we live, a discussion of the principles of democracy, and the ideals of the character and conduct essential to citizenship in an 'efficient democracy.' Special effort was made to impress the girls with the important factor women are in such a democracy, though they may not vote or take part in the actual government. We ended the course with a discussion of our plans for the Honor Cottage, what self-government would mean, and what would be the kind of girls elected."

The girls are elected to the Honor Cottage by the first grade residents in the other cottages. Only those who have lived three months in a first grade cottage, are eligible for election. No girl can vote for officers for the Honor Cottage till she has lived a month there.

The girls themselves elected their officers and drew up their own by-laws, the superintendent having veto power. These by-laws among other things provide that the members of the Honor Cottage shall go to their rooms at 9 p. m., shall not talk loudly nor call from one room to another, shall not visit in each other's rooms without permission of the matron, shall be prompt at meals, pleasant at the table, etc. These rules are enforced by penalties.

The head of the house, Mrs. E. E. Humphrey, is an admirable house mother, and while the girls are really self-governing, her influence is sympathetic and helpful. Three girls have been voted out of the house and two were put upon probation for a month by their comrades, and on the whole the decisions of the inmates have accorded with the desires of the superintendent. The girls in the Honor Cottage have as much freedom as a boarding-school girl in a well conducted and chaperoned school, and thus far they have not abused it. They have not only their own pretty dining room with its windowful of beautiful ferns, their convenient kitchen, attractive sitting room, and individual little sleeping rooms, but a sewing room where they may make their own clothes, for they are not compelled to wear an institution uniform.

The religious life of the reformatory is not neglected. Jewish, Protestant and Roman Catholic services are held regularly.

The reformatory grows with more speed than provision can be made for the new comers. There were on the first of January, 1910, nearly 305 women in the institution, average age, twenty-six years and nine months; 90 on parole, 82 per cent of whom were doing well; and 18 babies in the nursery. The cost per inmate is $216.84. Those who go out on probation are looked after by an officer whose exclusive duty it is to find homes, escort the girls to them, and look after them when placed. A part only of the wages they earn is given to the paroled women. The rest awaits them in the office of the reformatory when they receive their full release.

No girls are paroled to the city. The advantage of having the reformatory in a beautiful country place is that the inmates grow to love the natural surroundings of the home where they have learned to get away from their bitter past, and are far more ready to go upon farms than they would have been when fresh from the excitement and fascination of pavement life. They have but six acres in their garden, but it is enough to teach them how to make things grow. In country homes, wisely selected and with a system of regular reports, the wayward or criminal girl has the best chance for recovery, mental, moral, and physical. The only drawback seems to be that the maximum sentence of three years drops the paroled woman where perhaps she is not strong enough to be left wholly to herself. A truly indeterminate sentence would prevent this. Those who were strong would be gradually released from control and those who needed it would be held in the wise leading strings of the board of managers until they could safely walk without guidance. No method so surely develops self-respect and self-confidence as this partial freedom while still under the custody of the law, a freedom acquired solely through the girl's own endeavor.

It has been said that most of the women sent to reformatories are there for intemperance. That is not true at Bedford. Last year of 115 commitments 23 were for misdemeanors and 27 for felonies; 50 in all. Only four were committed as habitual drunkards. Out of the first 1000 commitments, 221 were committed for misdemeanors, 264 for felonies and 515 for all other offenses. Out of the 1000 only 36 were committed for being habitual drunkards and eight

Harvesting Ice, State Reformatory for Women, Bedford, New York

for public intoxication. Most of the women in New York City arrested for these two latter offenses are sent to the Island.

Dr. Davis has recently made a close study of 1000 of the inmates of her institution, received since May 11, 1901. From the carefully prepared tables showing nationalities, ages, the courts that have sent the women to prison and many other facts, the following figures are selected to show the average age of the inmates, and a few other matters of general interest.

Of the 1000 women received, 539 have been paroled, and five re-paroled. Eighty-seven have been returned for violation of parole. There have been 10 deaths and 50 births, and among the women placed out 34 have been taken into homes with their babies and two babies have been legally adopted. The women are sent to Bedford from the eastern part of the state, but 739 came from Greater New York. The youngest received are fifteen years of age and among the 1000 there were 40 of that age. The most dangerous period seems to be about seventeen, for 116 were of that age. Of girls of eighteen there were 93 and the numbers lessen up to the age of thirty, when there were but six. The average age of the 1000 was twenty years and nine months.

The occupations which these girls had followed are 52 in number, but those connected with the home,—domestics, waitresses, laundresses, cooks, etc.,—reached the largest total, 561. There were 135 factory operatives and 30 saleswomen.

Twenty-one nationalities are represented by this list; 709 were born in the United States and 182 were colored. Religiously divided, 422 were Roman Catholics, 105 Jews and 473 Protestants. Of the total, 309 had been married, 691 were single and but 7 had been divorced. The list of institutions from which they had come is long, 314 having been in reform schools or institutions of some kind before being sentenced to Bedford.

Though 89 could neither read nor write on entering the reformatory, 436 had a fair knowledge of the common English branches, many having been in the high school, 24 having graduated from there and 63 from the grammar school. Two had studied at the Normal College.

It is erroneous to suppose that these young women are mostly sent to Bedford for intemperance, as has been stated. The list comprises 20 kinds of felonies, 14 of misdemeanors and many other offenses. Of the 1000 women, 264 were convicted of felonies, 221 of misdemeanors and 515 of other offenses. Grand larceny claimed

149, petit larceny 192, while only 36 were enrolled as common drunkards and 163 as prostitutes.

If the women sent to the reformatory do not all learn to mend their ways it is not the fault of the devoted women who are carrying it on. The matrons in the cottages are as a rule interested in their work. The teachers are enthusiastic. The resident physician looks wisely after the health in every particular, depending on diet and fresh air and the value of work quite as much as on medicine and the knife, showing equal skill in every department. With her co-operation Dr. Davis worked out a careful dietary some years ago, which furnishes the most healthful elements of food at a reasonable price, and that can be prepared with agreeable appearance and taste. This is embodied in a book which contains about one hundred and fifty recipes, suitable for families of thirty. The use of such a cook book would be invaluable in other institutions.

Of the head of the reformatory, Dr. Katharine Bement Davis, the board of managers well says: "To her wide and thorough study of sociological matters in every form, to her energetic attention to the business matters of the institution, to her Christian character and earnest devotion to the welfare of the girls, the managers are more than ever indebted for the gratifying work of the institution, and we think we are entitled to say for the high position it holds in the estimation and respect of those throughout the land who are giving increased attention to reformatory and philanthropic work, as among the important problems which engage the attention of the thoughtful people of the day."

Since those words were written Dr. Davis has been sent to Italy for a well-earned rest. Arriving in Sicily just before the terrible earthquake and sharing in the losses of property entailed, she devoted her period of rest to assisting the Red Cross work for the sufferers in Syracuse, and her managers might now add to the words just now quoted, that thanks to her sociological studies she was able to do such good work in Italy that in recognition of it the president of the United States in the name of the Red Cross—of which he is also president—has just presented to her a beautiful silver medal. But brighter than the medal is the future of which she may be sure,—that promised to those who "turn many to right-living" who "shall shine as the stars forever and ever."

THE WESTERN HOUSE OF REFUGE, ALBION

Although the state of New York has not provided facilities for reforming many of its criminals, yet it has another excellent institution for adult women besides the one at Bedford. It is called the Western House of Refuge. As women from the eastern end of the state are sent to Bedford, those from the opposite end go to Albion. The women are of about the same class, though many have never led quite so wild and dissipated a life as the criminals from the great cities.

This institution was opened December 18, 1893. It consists of a group of seventeen buildings, including seven cottages,—for it also is on the cottage plan,—situated in a beautiful park with an outlying farm which furnishes the best sort of occupation for the girls and the best food for their tables. The whole area covers about one hundred acres, with twenty in the park. Unpretending brick structures, built for comfort and convenience, house the two or three hundred girls, under the care of a fine superintendent, Miss Alice E. Curtin, and a staff of women officers. The cottages carry out the family idea, the families not exceeding 25, with three resident officers. The inmates, 214 in number, are from fifteen to thirty years in age, averaging nineteen. They are trained in all the branches of domestic life, besides embroidery and basket and rug-making. They are so well fitted in cooking, laundry work and sewing that they easily find work when they are ready for parole. On the 31st of December, 1909, 34 were out on parole, 29 doing well. The institution is under the same organic law as the reformatory at Bedford. Like that institution the one at Albion believes in outdoor work for girls. Miss Curtin says:

"Two facts were plainly demonstrated by this gardening: one, that the institution can be entirely supplied with small fruits and vegetables for the entire year, the labor all performed by the girls, with the exception of the ploughing; and the second and more important fact, that the effect on the discipline and advancement of the girls is exceedingly beneficial. Many of those who did the weeding this summer had never been in a garden and all took an interest in the work, from the sprouting of the seed to the harvesting of the vegetables. The girls also enjoyed the freedom from restraint, as instead of being confined to their own lawn and garden they went in and out quite freely, always accompanied, of course, but apparently without much surveillance."

Book work, however, is also regarded as excellent in the discipline of an institution where the average age of the inmates is but nineteen and a fraction. Here, as in other reformatories, the ages of eighteen and nineteen seem the most hazardous for a girl, and at that period the greatest number succumb to temptation and to crime. Yet, young as they are, more than a third of the whole have been married and many are mothers, and many babies are born in the institution whose fathers will never claim them. Not a fifth are there for crimes against property. They are mostly young women who have never been trained to self-control and a regard for a moral life. Here, as everywhere in these reformatories, the number of American born girls needing such training shows that greater efforts must be made in American homes for the prevention of vice and crime if we would not have so much work of reformation to do.

The per capita cost at Albion is $215.80 per annum. As in the other institutions the food is improved by the garden products. The garden proper in which the girls work consists of about four acres. They also work on the farm of fifty acres, dropping potatoes, hoeing, bunching hay, weeding, delivering vegetables every day, and helping in the harvesting. About twenty girls work regularly every day, coming into the house at meal time only.

The girls at Albion are fortunate in having a good physician to look after their physical needs, a parole officer to find homes for them and to care for their interests while in those homes, transferring them if need be from one to the other till the right niche is found for each girl. Naturally there are some failures here, as elsewhere among those paroled outside. It is not always their fault. Everywhere the community must share in the blame of a proper lack of adjustment, just as the community is largely to blame for the girls falling into disorderly ways in the first place. There must be co-operation between homes and teachers, homes and religious instructors, while girls are still under their own roof tree, if vice is to be kept down; and if in spite of that girls are sentenced to imprisonment, there must be co-operation between reformatory institutions and a sympathetic public, or the wards of the state will be sorely pressed in their struggle to again find their place in the outside world.

As the managers of the institution at Hudson very well say:

"The 'danger' period in most cases is not during the first few months that a girl spends outside of the school, but later when the novelty of the outside life has lessened, when the influence of the school and officers has become weakened by absence and by the

Girls in Cornfield

Reception House, Falker and Gavin Cottages
Western House of Refuge, Albion, New York

entrance of new influences into the girl's life. It is then that she needs a friend to hold her to the ideals she has made at the school. With no help from her family, she struggles to hold to the standard of the school herself. If she wearies and fails to be what her friends had hoped she might be, shall she be blamed, or shall she receive credit for the struggle she has made? It takes time, education, tact, patience, and good judgment on the part of the parole agent and of the woman to whom the girl is paroled to help the girl get adjusted to the new life so that she may be as happy and as useful as she is capable of being."

An analysis of the statistics of girls put out on parole shows that they are responsive to the methods employed and that the proportion of those who do well is satisfactory, and in many cases where failure must be recorded it is because of conditions for which the girl was not responsible.

If more space in this paper has been devoted to New York institutions than to others it is because, if the Empire State has not the best reformatories, it ought to have. Such a reformatory as the one at Bedford, lying close to New York, where it feels not only the tide of crime of a big city, but also the inspiration of the noble men and women who are planning all sorts of things for the betterment of humanity, ought to lead in efforts to improve methods of discipline for women who have committed crime or who have gone astray in forbidden paths. The state of New York can easily afford to adopt the best and wisest methods and by degrees she is doing so. As the law exists, the reformatories for women can do no better work than they are now accomplishing. Whatever their shortcomings they are achieving excellent results. It has been suggested that still better results might be secured were the law amended. Under the existing law women are sentenced to the reformatory at Bedford for any offense whatsoever and are received under an indeterminate sentence with a three years' maximum. In other words, the reformatory is responsible for them for three years. That law works in this way: If a girl can be fitted to leave in a short time, that is, if she is fairly well educated, industrially efficient and not in need of a great deal of making over, she may go out on leave at the end of twelve or fifteen months. Under the present law she may be supervised while outside the institution up to the expiration of the three years for which she was committed. On the other hand, the next one who comes in may be a woman who has led a very bad life, who needs training and discipline of every kind and who may prove so difficult in the institution that two years may pass before the patient and faithful discipline makes much impression on her character. Possibly it may take even longer and the period of imprisonment may extend to within three months of the three years' maximum before the superintendent will dare to recommend her for release. If she goes out then she is only required to report for three months, yet she needs far more supervision outside than the first one, and is much more likely to fall into evil ways than many who have been released after a shorter term of confinement. This is illogical, and some way should be provided by which supervision could be continued as long as it is necessary. There are institutions which require paroled girls to report to the board of managers till that board releases them from such requirement, each case being acted on as it comes up. If it is a hardship for the honest and well-intentioned person to have to keep up reporting long after it is unnecessary, it is even worse, both for the person on parole and for the community, to let a woman go who needs the restraining influence that the institution can exert through its parole officer and a system of reports.

The regulations of the reformatory for men at Elmira are different, as the class of prisoners is different. Only felons are received at Elmira, with a minimum of one year and a maximum penalty which is the maximum prescribed by the penal code for a specific offense. Bedford receives women guilty of felonies, misdemeanors and violations of police ordinances. If the Elmira law were applied there it would mean that a woman guilty of a misdemeanor could be held only for a year and one committed by the magistrate's court but for six months, yet the latter is frequently the one who needs the longest care and discipline before it is safe to trust her outside again. It was this knowledge that led to making three years the period of possible detention in the reformatory for women. It seemed a wise provision at the time, but in practical administration it is found that there is room for still greater improvement in the law. After all, a truly indeterminate sentence, properly safeguarded, would seem to be the only real remedy.

To sum up what we have seen in this glance at the reformatory systems adopted in the United States for women, we have found that for the country at large the women constitute but 5.5 per cent of the persons convicted of crime; that the larger number of these women are convicted for offenses against society, public decency and order,

Outdoor Evening Service, Reformatory Prison for Women, Sherborn, Massachusetts

and that in treating these crimes and misdemeanors there is a great difference in the various parts of the country. Certain states make no special effort to reform either girls or women. Many others have reformatories for girls, guarding and disciplining them to the age of twenty-one; others only till the age of eighteen. But three, Massachusetts, New York and Indiana, have reformatories, or reformatory prisons, distinctively for criminal women, and in even those three states there are hundreds of women who have been under sentence who have never received this wise disciplinary treatment which the states have provided for a portion of their female offenders. Connecticut, New Jersey, Pennsylvania and perhaps some other states, are studying the subject with the expectation of establishing such reformatories when their respective peoples are educated to the extent of supporting them.

The results in the three states that take these offenders and train them to become self-respecting and self-supporting women, cannot be tabulated, for mere figures would not tell the story. The statistics of those placed on parole who have never been re-arrested, and the number holding their word by reporting regularly, are, however, ample encouragement for those who have had the care of these women.

What we learn from these facts is not so much the need of collecting all such offenders and giving them proper discipline for reformation, but the vastly greater need of so educating little girls in the homes and in the schools, so caring for them in the shops and factories, so guarding them in their amusements and on the streets, so protecting them by making those who share in their vices equally guilty with them, that vice and crime may be prevented. If every girl in the land could have from childhood the education of heart and hand and head, the thought bestowed on her diet, her sleeping hours, her friendships, her pleasures, and her moral and religious training, that every girl receives who goes to Bedford, for instance, there would be no need for reformatories for women. The formation of good character would have forestalled any need of re-formation.

VIII

UNITED STATES PRISONS AND PRISONERS

By ROBERT V. LADOW

Superintendent of United States Prisons

THE penal institutions owned by the United States are under the jurisdiction of three separate departments of the government, and are used for three separate classes of prisoners. They are as follows:

Under the jurisdiction of the Department of Justice: United States Penitentiary, Leavenworth, Kansas; United States Penitentiary, Atlanta, Georgia; United States Penitentiary, McNeil Island, Washington (State); National Training School for Boys, Washington, D. C.; United States Jail, Washington, D. C.

Under the jurisdiction of the War Department: United States Military Prison, Fort Leavenworth, Kansas; United States Military Prison, Alcatraz Island, San Francisco Bay, California; United States Military Prison, Bilibid, Philippine Islands.

Under the jurisdiction of the Navy Department: Naval Prison, Portsmouth, New Hampshire; U. S. S. Southery, Portsmouth, New Hampshire; Naval Prison, Boston, Massachusetts; Naval Prison, Mare Island, California; U. S. S. Nipsic, Puget Sound, Washington.

DEVELOPMENT OF PENAL LAWS

Before describing these various institutions, a brief reference is made to the development of the penal laws of the United States government, and to the conditions which led to the establishment of the United States penitentiaries.

The penitentiaries under the control of the Department of Justice, at whose head is the Attorney General of the United States, are used for the confinement of persons convicted of any crime whose sentence is to imprisonment with hard labor, or to imprisonment of one year or more, with or without hard labor, by any court of the United States, in any state, territory or district.

The military prisons, under the control of the Secretary of War, and the naval prisons, under the control of the Secretary of the

Navy, are used, respectively, for all offenders convicted before any court-martial of the army or of the navy, and sentenced according to law to imprisonment therein.

The first Congress of the United States met in 1789. In the following year "An Act for the Punishment of Certain Crimes against the United States" was enacted. This act defined capital crimes against the government, and declared that persons found guilty of such crimes should be punished with death by hanging. Other crimes were punished with a fine or imprisonment, or both; and still other crimes with whipping "not exceeding thirty-nine stripes," or "to stand in the pillory for one hour."

Prior to this act, in "An Act to establish the Judicial Courts of the United States," Congress provided the means for the trial of offenders against its laws. Not having any penal institutions at the time in which to confine its prisoners, it adopted the following resolution:

> *Resolved*, that it be recommended to the Legislatures of the several states to pass laws, making it expressly the duty of the keepers of their gaols to receive and safe keep therein all prisoners committed under the authority of the United States, until they shall be discharged by due course of the laws thereof, under the like penalties as in the case of prisoners committed under the authority of such states, respectively.

In 1825 Congress passed "An Act more effectively to provide for the Punishment of Certain Crimes against the United States, and for other purposes." This act omitted from the criminal code of the government the punishments of whipping and standing in the pillory, and adopted for the first time a system of punishments of confinement to hard labor. This act provided that:

"In every case where any criminal convicted of any offense against the United States shall be sentenced to imprisonment and confinement to hard labor, it shall be lawful for the court by which the sentence is passed to order the same to be executed in any state prison or penitentiary within the district where such court is holden; the use of which prison or penitentiary may be allowed or granted by the legislature of such state for such purpose."

It is worthy of note that the change in the character of the punishments prescribed in these acts marks the change between 1790 and 1825 in the prevailing sentiments of the people as expressed by the legislatures of the several states in regard to their penal laws.

Pursuant to the recommendation of Congress, the legislatures of the states which at the time composed the Union, passed laws which permitted the use of their penal institutions for federal prisoners; other states from time to time as they were admitted into the Union, passed similar laws, and in this manner the government adopted the practice of making use of state institutions in which to confine United States prisoners. The practice of using the jails of the states for the detention of persons charged with crimes against the United States, and the use of such jails, workhouses, and other similar institutions in the states for the confinement of United States prisoners sentenced to terms of imprisonment of not more than a year, has continued ever since. The use of the penitentiaries in the states for the confinement of United States prisoners sentenced to terms of imprisonment exceeding a year at hard labor, will continue only until accommodations for this class are provided for at the United States penitentiaries at Leavenworth, Kansas, and at Atlanta, Georgia, which institutions are in the course of construction.

Prior to the act which authorized the erection of these national prisons, it was found from time to time that the penitentiaries in a number of the states were not suitable or available for federal prisoners; in such cases it becomes the duty of the Attorney General under the law to designate institutions in adjacent states and territories as the places of their confinement. In many cases prisoners convicted in one state had to be transported long distances for confinement in some available penitentiary in another state. At one time prisoners convicted in Alabama and Tennessee were consigned to an Iowa penitentiary; prisoners convicted in Mississippi were taken to Michigan; and the penitentiaries in New York state were occupied by prisoners convicted in North Carolina and Texas.

With the growth in the population of the country, and a corresponding growth in the number of federal prisoners, necessarily greater demands had to be made upon the states having suitable penitentiaries. In the course of time a few institutions were designated as the place of confinement of prisoners convicted in many states. Some of these states, finding their penitentiaries were becoming overcrowded, felt justified in passing laws limiting the use of such penitentiaries to United States prisoners convicted in their own states. In one case a state passed a law which prohibited the reception into its penitentiaries of United States prisoners convicted within that state.

The conditions surrounding the use of the penitentiaries in the states for federal prisoners finally became so unsatisfactory that Congress passed on March 3, 1891, "An Act for the Erection of United States prisons and for the Imprisonment of United States prisoners, and for other purposes."

Two of the three prisons provided for in this act are being erected at Leavenworth, Kansas, and Atlanta, Georgia. The cost of these institutions will be approximately $4,000,000. It is estimated that the valuation of both plants when completed will be $9,000,000. The difference in these figures represents the value to the government of the labor of the convicts engaged in constructing the various prison buildings. It is required by Congress that the money appropriated for the work shall be expended so as to give the maximum amount of employment to the inmates of the penitentiaries. The plans for the buildings were drawn by architects skilled in the construction of prison buildings. These institutions are modern in every respect, and embody in their construction the best and most enlightened ideas relative to such work, and are a credit to the United States.

LEAVENWORTH PENITENTIARY

Work upon this prison was begun in 1896. The prison buildings are in an enclosure of 16 acres. When completed there will be 1400 cells. The wall about the enclosure is over 30 feet in height; this wall was built of brick manufactured by the prisoners on the prison reservation. The prison buildings are also being built of these brick.

In 1895 the War Department changed its policy with respect to the place of confinement of persons convicted of military offenses. Not having further use for the military prison at Fort Leavenworth, Kansas, this prison was transferred by law to the Department of Justice, to be used for the confinement of persons convicted in the United States courts of crimes against the United States and sentenced to imprisonment in a penitentiary. The Attorney General was directed to transfer to this prison such persons now undergoing sentences of confinement imposed by the United States courts, in state prisons and penitentiaries, as could be conveniently accommodated at the same penitentiary; the act also authorized him to designate to which of said prisons persons thereafter convicted in such states or territories shall be carried for confinement.

Prisoners thus transferred were employed in constructing the various prison buildings at the new United States penitentiary at Leavenworth, the erection of which was provided for in the act of 1891. This new penitentiary is some three miles distant from the prison at Fort Leavenworth. The prisoners were marched under guard to and from these prisons for work. In 1906 the new penitentiary was sufficiently advanced to permit of its occupancy by the prisoners and the institution at Fort Leavenworth was restored to the War Department.

ATLANTA PENITENTIARY

The prison buildings at Atlanta are in an enclosure of 26 acres; when completed there will be 1200 cells. The wall surrounding this enclosure is over 30 feet in height, is of concrete construction, and was erected by prison labor. The prison proper is being built of stone. The rough stone is quarried some distance from the prison. This stone is purchased by the government and taken to the prison, where it is dressed into shape for the various buildings by the prisoners.

The erection of the Atlanta penitentiary was begun by contract. This work continued until sufficient progress had been made to afford accommodations for the inmates. United States prisoners were then transferred to this prison from state prisons and penitentiaries, in which they were serving their terms of imprisonment, in the same manner as prisoners had been transferred from state prisons and penitentiaries to the Fort Leavenworth institution. Since the transfer of prisoners, work at both prisons has been carried on with convict labor.

The cells erected at these national prisons are of steel construction; the cells are in rows with a corridor between the rows for utility purposes. In these utility corridors are placed the pipes and fixtures connected with the steam heating, ventilating and electric light plants. There are five tiers of cells. The cells at Atlanta are five feet six inches wide, nine feet deep and eight feet in height. The cells at Leavenworth are somewhat larger. The floors of the cells are of granitoid. Each cell is equipped with an iron bed, made to turn up against the partition of the cell when not in use; the bed has a mattress, sheets and a pillow. Each cell has a lavatory and an automatic flush closet, and is lighted by electricity.

McNEIL ISLAND PENITENTIARY, WASHINGTON

The small national penitentiary established in the state of Washington, is located on McNeil Island in Puget Sound. This institution was a territorial prison prior to the admission of Washington as a state into the Union. Since this time the prison has been maintained as a United States penitentiary. The prison will accommodate 200 prisoners.

UNITED STATES PRISONERS

Prisoners received at these three penitentiaries are from all parts of the Union, and among them twenty-five nationalities are represented. Twenty-five per cent of the prisoners were convicted of a violation of the postal laws; 15 per cent were convicted of counterfeiting, and 10 per cent were convicted of offenses against the revenue laws—better known as "moon-shining." Forty per cent of the prisoners are between twenty and thirty years of age; 25 per cent are between thirty and forty years of age; 15 per cent are between forty and fifty; and 10 per cent are over fifty. Over 60 per cent of the prisoners are white; 33 per cent are colored, and five per cent Indians.

Twenty per cent of the prisoners in the Leavenworth and Atlanta prisons at present were received from the District of Columbia. Almost all of these prisoners were convicted of crimes which, had they been committed in any of the states, would have subjected the offender to trial in a state court, and upon conviction and sentence to confinement in a state prison. The District of Columbia being the seat of government, Congress has retained sole jurisdiction over its affairs. Therefore, all crimes committed in this district are treated as crimes against the United States; they are tried by United States courts, and upon conviction, if sentenced to imprisonment in a penitentiary, the prisoners are transported by United States officials to one of the United States penitentiaries for confinement.

The prisoners at these three penitentiaries are employed in constructing the prison buildings; other than this work there are no regular prescribed industries. It is expected that the labor of the prisoners will continue to be made use of in this work, in work upon the grounds, the cultivation of the prison farms, and other prison duties, for some years to come. In the assignment of prisoners for work in the different departments, care is taken to select those most suitable for the tasks imposed. Many prisoners have been taught useful trades which enable them to earn a living when released from confinement. There are schools for the prisoners, and advantage is taken of inclement weather, when work cannot be done outside, to assemble the convicts in the school rooms, where lessons are assigned and recited and study directed and stimulated.

The lock-step was never adopted in these penitentiaries; nor are the prisoners clothed in stripes, except as a badge of punishment, or when it is necessary to send prisoners to some distant point on the prison reservation.

There are three grades of prisoners: first, second and third. The first and highest grade carries with it certain privileges. A prisoner's conduct determines his grade; for misconduct he may be reduced from the first to the second, or even to the third grade for a serious infraction of the rules; with each grade lost there is an accompanying loss of privileges. For good conduct a prisoner in the lower grades may earn his way back to the highest grade. Part of the punishment of the third grade man is to wear stripes.

Other means of punishment are the deduction of a portion or all of a man's good time, or his removal to an isolation cell. There are two kinds of isolation cells, the dark cell and the lighted cell. The dark cell is seldom used. The lighted cells are each eight feet wide, twenty feet long with a ceiling fourteen feet above the floor. Each room has one window four feet square. The room is furnished with an iron bed, a mattress, lavatory and closet, and an electric light, and is properly heated in cold weather by coils of steam pipes. Ventilation is obtained by a register placed over the door, which in connection with the open windows supplies the necessary air currents. Grated and wooden doors are furnished, and when these doors are closed the prisoner is in complete isolation. No corporal punishment of any kind is inflicted. Any United States prisoner who is serving a term of imprisonment of not less than six months, no matter where he is confined, may earn a deduction from the term of his sentence by faithfully observing all the rules. This deduction is as follows:

Upon a sentence of not less than six months nor more than one year, five days for each month; upon a sentence of more than one year and less than three years, six days for each month; upon a sentence of not less than three years and less than five years, seven days for each month; upon a sentence of not less than five years and less than ten years, eight days for each month; upon a sentence of ten years or more, ten days for each month.

Every prisoner when discharged from the United States penitentiaries is furnished with transportation to the place of his residence within the United States at the time of his commitment under the sentence of the court; and if the term of his imprisonment shall have been for one year or more he is also furnished with suitable clothing, the cost of which does not exceed $12, and $5.00 in cash.

All persons charged with crime against the United States in any state, as well as all United States prisoners serving terms of imprisonment in any state or national institution, who become insane, are transferred to the government hospital for the insane at Washington, D. C., for treatment. Upon the restoration to sanity of these prisoners they are returned to the institution from which they were transferred, either to be tried for their offenses against the government, or to serve out the remainder of their terms of imprisonment. If their terms have expired before they become sane, upon their release from the government hospital they are furnished with the same gratuities they would have received upon their discharge from the penitentiary, and are furnished with transportation to their homes within the United States.

The expense for the maintenance of the three United States penitentiaries is about $400,000 a year, divided as follows: Leavenworth, $200,000; Atlanta, $150,000; and McNeil Island, $50,000. The average yearly cost per man for maintenance is about $220 at Leavenworth, $210 at Atlanta, and $320 at McNeil Island.

The control and management of these penitentiaries is by law vested in the Attorney General of the United States who is authorized to promulgate such rules for the government of the officials of the prisons and prisoners as he may deem proper and necessary. These penitentiaries, and other penal institutions under the jurisdiction of the Department of Justice, are under the general supervision of an officer in this department known as Superintendent of Prisons. The United States penitentiaries are each under the immediate control of a warden. This officer and all subordinate officers and employes necessary in the administration of its affairs, are appointed by the Attorney General.

Thus far Congress has not authorized the United States courts to suspend the sentence of persons convicted of a violation of its laws; nor has there been adopted what is called the indeterminate sentence and the parole system for United States prisoners. Bills for one or more of these purposes have been introduced in Congress within the past few years, and one such bill was passed in the Senate. The Attorney General, in his annual report for 1909, called the attention of Congress to the fact that in most states these laws are in operation, and that there is no reason why the United States should be behind the states in a movement of this character, and he earnestly recommended the consideration by Congress of the enactment of such laws.

NATIONAL TRAINING SCHOOL FOR BOYS

This school is located at Washington, D. C., and is used for the confinement of male offenders against the laws of the United States who are under the age of seventeen years.

There is a board of trustees which is authorized to make rules and regulations for the government of the school. The members of the board are appointed by the President of the United States, upon the recommendation of the Attorney General. The board of trustees is authorized by law to release boys committed from the District of Columbia under certain conditions before their terms have expired. The power of the board to parole boys was extended to boys committed to the school by United States courts in any judicial district of the United States. The parole of this class is subject to the approval of the Attorney General.

UNITED STATES JAIL, DISTRICT OF COLUMBIA

This jail is under divided jurisdiction,—that of the Supreme Court of the District of Columbia, and that of the Attorney General. It is the duty of the court to make such rules for the government and discipline of the prisoners as shall be necessary for the health, security and protection of such prisoners from cruel treatment by any person in charge thereof. The expense of maintaining the jail is under the control of the Department of Justice.

During the year ended October 31, 1909, there were received in the jail 3,529 prisoners, the average daily number being 521. One-third of all the persons committed to the jail were charged with assaults, not including assaults with intent to kill. Of these assaults over 90 per cent were committed by colored people. Of about the same proportion charged with petty larceny, 80 per cent were colored.

The reason these offenses are treated as offenses against the United States is that which has been mentioned regarding prisoners from the District in the United States penitentiaries,—the sole jurisdiction of District affairs rests with the general government, and therefore all offenses in the District are offenses against the government.

MILITARY PRISONS

Persons belonging to the military establishment, charged with offenses in violation of the Articles of War, are tried by general courts-martial which are provided for in that enactment. Prior to

1873, sentences imposed by these courts-martial were executed in the guard houses at the military posts at which the cases were tried.

It is provided by law that no person in the military service shall, under the sentence of a court-martial, be punished by confinement in the penitentiary, unless the offense of which he may be convicted would, by some statute of the United States, or by some statute of a state in which such offense may be committed, or by the common law, as the same exists in such state, subject such convict to such punishment.

This condition of things was unsatisfactory. There was not, and could not be, a substantial uniformity in prison conditions at the widely separated military posts which were then occupied by the army of the United States. Most of the punishments imposed by general courts-martial were imposed upon conviction of purely military offenses, such as desertion, absence without leave, disobedience of orders, etc., etc. The offenders were not felons and, save in the cases above referred to, were not and should not have been confined in institutions with criminal offenders in the execution of their sentences to imprisonment.

This condition led to the Act of March 3, 1873, which provided for the erection of a military prison at Rock Island, Illinois. It was provided that this prison should be used for the confinement and reformation of offenders against the rules, regulations and laws for the government of the Army of the United States convicted before any court-martial or military commission in the United States and sentenced according to law to imprisonment therein.

It having been found that the government reservation at Rock Island was needed for ordnance purposes, in 1874 the location of the prison was changed to Fort Leavenworth, Kansas. Reference has been made to the change in the policy of the War Department which led to the abandonment of the Fort Leavenworth prison. In the period of twenty years immediately following the establishment of this prison, a number of large military posts were constructed, involving in the proper care and maintenance of the buildings and grounds the services of a considerable force of unskilled laborers. It was believed to be to the public interest to use military prisoners for this purpose, thus giving time for the proper military training and instruction of the enlisted men composing the several garrisons and throwing the burden of police work upon military prisoners, who were undergoing sentences of imprisonment for military offenses. The military prison was evacuated by the War Department in 1895 and transferred to the Department of Justice.

During the period intervening between 1895 and 1906 military prisoners continued to serve their sentences in the guard houses of a number of the larger military posts constituting the military establishment. This arrangement served the useful purpose of relieving the enlisted men of the army from the performance of police duties, which interfered with their military training and instruction. It was found, however, that as an incident to the increase in the strength of the regular army, the number of prisoners had so increased as to justify the re-occupation of the prison at Fort Leavenworth for the incarceration of military offenders; this was done in 1906. As the buildings composing this prison were old, inadequate and unsafe as a place of imprisonment for serious offenders, money for the construction of new prison buildings was appropriated by Congress, and the work is now in progress.

With a view to furnishing additional prison accommodations on the Pacific Coast, the construction of a branch prison was authorized by Congress last year (1909). This prison is located on Alcatraz Island in San Francisco Bay.

On June 30, 1909, there were 774 prisoners in confinement at Fort Leavenworth prison and 336 at Alcatraz Island. These prisoners are employed at such labor and in such trades as may be deemed best for their health and reformation. During the past year the prisoners were employed in doing general work about the prison, in blacksmithing, carpentering, laundry work, painting, the manufacture of shoes and harness, tailoring, wagon making, and other prison duties.

The total expenditure for the maintenance of the military prisons during the year ended June 30, 1909, including repairs to all buildings, was $250,000. The total value of convict labor performed during the year is estimated to be over $385,000.

The commandant of the prison keeps a record of the good conduct of the convicts, and is authorized to shorten the daily time of hard labor for those who by their obedience, honesty, industry, or general good conduct, earn such favors, and the Secretary of War is authorized and directed to remit, in part, the sentences of such convicts, and to give them an honorable restoration to duty in case the same is merited. In case any convict shall disobey the lawful orders of the officers of the prison, or refuse to comply with the rules and regulations thereof, he may be placed in solitary confinement. No prisoner is punished by whipping.

BILIBID PRISON, PHILIPPINE ISLANDS

The United States prison in the Philippines is under the control of the military branch of the government. It is located at Bilibid. During the Spanish days this was the penitentiary of the Islands. The prison accommodates over 4000 prisoners. About 5000 are now consigned there, but only about 3000 are actually in the prison, the rest being out at work.

There are some 50 buildings composing the Bilibid prison; these buildings are located in an enclosure of about 17 acres. Bilibid is a prison where there are no cells; where prisoners sleep in barracks; where military ideas are so enforced that the visitor might think he was in a garrison. Prisoners are given a semi-military training.

The labor of the prison is conducted in large, bright, wholesome rooms. There is no lock-step, and no corporal punishment is inflicted. When the day's work is over the men are allowed to march about the grounds to the music of a band. When a prisoner is received he is searched and disinfected, and taught the rules. He is assigned to some section unless it is necessary that he be quarantined. The men bathe daily, and each day each man has a suit of fresh, clean clothes. They sleep on pieces of stout canvas like the hammocks of sailors, but stretched between steel uprights, and arranged in three tiers.

The men work seven and a half hours a day. They do blacksmithing, iron working, carriage and wagon making, and other forms of work necessary in such a place, and supply the local government with furniture. They also do washing for customers in the city. Discipline is firm but not severe. Prisoners converse when they wish; they have a siesta of two hours in the middle of the day, and they quit work at 4.30 for the evening parade and concert. They go to night school, and are taught by other inmates of the prison.

There are three classes of prisoners: first, second and third. When the Americans took over the prison, 80 per cent were in the third class. Today more than 90 per cent are in the first class; and a large number of the first class prisoners are rated 100 per cent in conduct.

To be in the first class a man has to stand above 90 per cent. For the second class he has to gain between 80 and 90 per cent in conduct marking. If he is below 80 per cent he is in the third class. The high class men get the benefit of lectures and other entertainments; they are allowed to play ball in the yard, and have other recreation. They have all the books they wish, can see their friends at intervals, and can write letters.

The 2000 prisoners consigned to Bilibid though not confined there are scattered about the islands, engaged in public works. Some are employed near the entrance to Manila Bay, helping to build fortifications; many of them are engaged in making public roads. Others are putting up public buildings, and many are at the Iwahig penal colony, which is one hundred miles from Bilibid. This colony where more than 500 prisoners live, is on the island of Palawan in the Bay of Puerto Princess. At this colony there is almost no restraint; there is not a guard in the entire place. The prisoners are largely engaged in agriculture. They have their own dwellings where their families may join them, participate in the local management of the colony, and live a healthful, useful outdoor life of industry and peace. They are simply deprived of liberty, but are being made into useful and happy citizens.

NAVAL PRISONS AND PRISON SHIPS

There are at present three naval prisons and two prison ships, under the jurisdiction of the Navy Department, which are used for the confinement of persons convicted before any naval courts-martial and sentenced to confinement therein. These institutions are located as follows:

Portsmouth, New Hampshire, Naval Prison, U. S. S. Southery; Boston, Massachusetts, Naval Prison; Mare Island, California, Naval Prison; Puget Sound Naval Station, Washington, U. S. S. Nipsic. The total capacity of these institutions is 787, and there are about 750 offenders confined.

When a prisoner is received at one of these prisons he is at once credited with one-third of the period of sentence; this is adjudged as a good time allowance and thereby fixes the date upon which the prisoner will be entitled to his discharge if his conduct during his confinement is faultless. After a prisoner has served one-half of his adjudged sentence (except in cases of men convicted of desertion) he may, if his enlistment has not expired, request to be put upon probation. If his request is approved of by the Navy Department the prisoner is released and discharged, or restored to duty, in accordance with the terms of his sentence. A prisoner who has been convicted of desertion cannot under the law be restored to duty unless he is pardoned by the President or is relieved by act of Congress.

For infractions of the prison rules the commanding officer may take away from the good time allowance of a prisoner such amount as he may consider advisable in days, weeks, or months, which postpones the release of the prisoner to that extent. This loss of good time allowance may be in addition to any punishment which may be inflicted for an offense. A prisoner who has forfeited any good time allowance may earn a restoration of such portion of lost good time as may be proper in the judgment of the commanding officer, such restoration to be based upon a faithful observance of the rules for a period of not less than two months. When a prisoner has lost all his good time allowance he is placed in a special prison dress and must remain in that dress until by good conduct he has regained some of his good time allowance. This special prison dress consists of a distinctive mark on the prisoners' uniforms, and is a band of red cloth six inches wide sewed all the way around the bottom of their coats, and a band one foot wide of similar material sewed around the bottom of their trousers legs.

Prisoners sentenced to hard labor or to the performance of police duties, as far as practicable do all the work in connection with the maintenance of the prison, such as cooking and serving food, and the policing, heating, laundry and clerical work of the prison. They also sweep and keep clean and in repair the sidewalks, roads and other places adjacent to their place of confinement, and do painting, carpentering, masonry work, and perform any other labor or policing that may be required of them.

Naval courts-martial as authorized by law may adjudge the punishment of imprisonment for life, or for a stated term at hard labor, in any case where it is authorized to adjudge the punishment of death; and such sentences of imprisonment and hard labor may be carried into execution in any prison or penitentiary under the control of the United States, or which the United States may be allowed by the legislature of any state to use. At the present time there are 31 prisoners of this class confined in state penitentiaries. These men are supported in these institutions at the expense of the Navy Department. They are subject in all respects to the same discipline and treatment as convicts sentenced by the state or territory in which the institution may be situated.

IX

PRISON OFFICERS AND PRISON DISCIPLINE

[Owing to the illness of Major McClaughry, who had been selected by Dr. Barrows to write a paper on prison officers and prison discipline, we have decided to print here selections from a paper by him and also selections from an address of Mr. Brockway in 1888, which Mr. McClaughry says was "the most able exposition of prison discipline I have ever seen."]

PRISON DISCIPLINE*

By ROBERT W. McCLAUGHRY

Warden of Federal Prison, Leavenworth, Kansas

THE success of the parole system in the treatment of crime, means that two things must be accomplished.

1. The first offender, or the criminal capable of reform, must be discovered, and when discovered so trained and disciplined that he may be returned to society prepared for good citizenship, and when returned, placed in a position in which he can support himself by his labor.

2. The habitual or professional criminal, or the criminal who rejects reform, must be discovered, and when discovered, retained within the walls as long as the law may warrant and he continues to remain by choice in the criminal class.

To accomplish these two objects three conditions are necessary:

1. Proper facilities in prison building, equipment and official service must be obtained for the skilful analysis, separation and classification of the grades of prisoners—the corrigible and the incorrigible.

2. The hopeful or corrigible prisoner must be fully prepared for parole by having his history, habits and tendencies carefully considered, and his discipline—which includes training to obedience and self-control, and especially training to industrial efficiency—carefully looked after.

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* A paper read before the National (now American) Prison Association, 1898.

3. The hopeless or incorrigible prisoner—that is, the habitual or professional criminal—must be completely identified, his history carefully collected, and the justice of his retention fully established, while at the same time discipline, as above defined, must be patiently applied to him, in the hope that he may "cease to do evil and learn to do well."

"Proper prison building" is a phrase that may mean much. It may mean . . . the old idea of a "lock-up," in which ventilation, sanitation and moral elevation have been sacrificed in the desire to build with the least apparent expense to the state, the greatest profit to the building contractor, or the least scandal to the political party in power.

Why must we still put two "fellows of the baser sort" into a cell four and a half by seven feet in size, accompanied by a pestilential cell-bucket, and ask them to accept exalted ideas of morals and etiquette and general decency?

* * * *

Hospitals today have special wards for fevers, for tuberculosis, for surgery, etc.; why should not prisons have separate wards or departments for the moral diseases which are to be treated therein? Prison discipline would thus become much more simple to prisoner and officer, and the ideas of gradation and graduation more natural to all. Would it not also be well to have somewhere between prison and parole, a barrack or place of detention, or a place of refuge, if you like, unwalled, unbarred and not too closely guarded?

The guard force of the average prison must receive more attention than heretofore, if the highest success for the parole system be attained.

The preparation of the prisoner for parole demands that the institution shall be free from all but scientific influences and objects. The work of rescuing the criminal and restoring him to good citizenship is a science requiring years of practical experience to attain, and is far too important to be longer hidden under the embarrassment of party politics and the constant domination of the necessity of getting votes. It is time that the people were awakened to the wrong of trying political experiments with institutions which have in their keeping the lives and the souls of men. Medical hospitals are not conducted on the basis of party success, and moral hospitals cannot be successfully conducted on that basis.

There should be a grand advance in the personnel of guards and officers of the prisons. They who are the hands, eyes, ears and mouth of reformatory prison work, must be attracted to and retained in the service because of natural taste for and adaptation to this line of work, and must cease to be mere party followers, who are receiving pay for former political or other service. The salaries paid for this work should be commensurate with the intelligence and fitness which the work requires. The officers, from highest to lowest, should be models on which the reformation of the prisoner is attempted. The habit of imitation is largely responsible for the making of criminals and can be largely used for their betterment. The presence of constant models in the official staff of an institution is of very great importance. By models, I do not mean models of leniency and softness, but models of manliness and strength and Christian hopefulness.

In the preparation of a prisoner for parole, his obedience to the laws and regulations of the prison must, of course, form the principal part of the basis on which his parole is to be considered as earned, but his history, habits, ideas and tendencies must also be carefully taken into account in order to determine the question of his probable future course. When he first enters the prison he must be made to understand that the Paroling Board will send him out on parole only when it is convinced that he is a safe subject to trust with the liberties of the parole.

Everything possible should be done to awaken and stimulate the prisoner's personal pride. Sometimes pride is about the only feeling that seems to be left in the criminal after his conscience has long been silent, and by it a man may sometimes be started on the right course. The grading system is useful in seizing and developing this feeling when it is possible to discover it.

But the grading system, if used at all, should be thorough, and different buildings, clothing, food, privileges and treatment should aid in the work. Different kinds of labor should also be employed in establishing the difference between grades.

The influence of a good library cannot be small in reformatory work. But the library should be well kept up and the use of the books ably directed. Courses of reading on attractive subjects when properly planned and suggested have great weight for good. Libraries should be built up in courses of reading on definite subjects.

How to make moral instruction attractive and effective in the preparation of the prisoner for parole is a difficult question. I believe that chapel exercises should not be made tiresome in length of preaching or in the effort to argue theological questions. Simple sermons are the best. Good feeling should be cultivated by varying the religious exercises with interesting addresses, orations or lectures on the topics of the day, on scientific subjects, or with readings of certain kinds. The gramophone has proved to be very interesting on several occasions, and musical treats are very helpful. The prisoner should feel that he is not to be the target for religious sharpshooting, but that something helpful is to be given to him every time he goes into the chapel.

A well-conducted Sunday school, if teachers can be obtained for separate classes, or if conducted in a skilful and attractive manner as one class, is a very great aid. But the most effective and lasting impression possible is in the cell door visits of a conscientious and tactful chaplain. A true friend is always powerful.

Then again, the police must be interested to take a different attitude toward prisons and reformatories. One prisoner released sooner than the police authorities believe to be best, one prisoner who goes wrong again, disseminates throughout the police department of a great city a feeling of irritation and lack of confidence in the reformatory treatment of convicted criminals. The police notion of reformation, too, is frequently that of the common, thoughtless crowd; namely, that prison authorities are willing to parole a prisoner when he seems to be persuaded to promise to reform. They *ought* to withdraw their confidence from a reformatory system which is thus based, but through the influence of the National Prison Association I am persuaded that the institutions can be brought to a more scientific basis of reformatory treatment, and the police once convinced of it and made to understand it, I am sure there can be wrought out good co-operation of the police with the prisons in the supervision and restraint of prisoners sent out on parole, for the protection of society from crime through the prevention of it rather than by the revengeful punishment of the criminal.

Perhaps the most important, as well as the most difficult duty in the administration of the parole law is to keep within the prison walls those who should not be paroled—the habitually and professionally criminal, the perverts and criminal degenerates.

It is of prime importance that in addition to the crookedness of nature that may crop out during their terms of service, there should be positive identification of those who are thought to be habituals or professionals, and that their history should be collected from authentic sources. To this end there should be an immediate adoption in every prison, penitentiary, reformatory, workhouse, house of correction, and police department in the United States, of the most efficient system of identification.

But let no man conclude from what I have said of the parole system that I deem it unsuccessful when compared with the system of definite sentence to which it has succeeded. When we compare the parole system, defective as it is, with the old system, especially in the states where the jury fixed the length of sentence, and where almost every sentence which did not reflect the prejudice of the locality that furnished the jury, was a compromise reached after a scheme of "marking" and "averaging," or sometimes of gambling or casting lots in the jury room, that tended to destroy in the minds of both prisoner and people all respect for courts of justice, and presented in the prison such a hotch-potch of sentences for the same crime, as to effectually destroy in the prisoner's mind all notion of justice,—I say when we compare even the defective present with the hideous past, we may well imitate the example of the great Apostle,—thank God and take courage, and go resolutely on unto the perfection of a system that has in it more of hope and blessing for fallen and criminal humanity than all the past centuries have shown.

PRISON DISCIPLINE*

By Z. R. BROCKWAY

Reformation must consist in the adjustment or readjustment of the man to his circumstances, to the extent that there is a reasonable probability that he will live at liberty without violating the laws; it is training out of him whatever tends to crime; training in tendencies to good citizenship, with more or less of agency and control as to his situation in society when released from imprisonment. Given sure custody for sufficient length of time (the indefinite sentence is the best if not absolutely essential), the first requisite for such training is thorough knowledge of each individual criminal; next, the facilities and skill for reformative treatment, supplemented by tests and moral motives to continue after domiciliary release. Diagnosis—treatment—tests.

There are obstacles to reformations, limits to possible adjustments, found in the breed and bodily condition of criminals; these, therefore, must be carefully studied for classification and treatment. Any mixed company of criminals may be divided into three groups, showing dissimilarities practically determining their activities and their place in society, as truly as the physical peculiarities of animals determine their functions and usefulness to mankind. Also, the individuals of each group will, some of them, be incapable of a common assignment, because of disease, defects, and differing dimensions. There is a physical criminal type, perhaps as yet not very definitely ascertained.

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* A paper read before the National Prison Association in 1888.

The diagnosis must take note of physical conditions. Much that is abnormal will probably be discovered, and the normal life will be found feeble, fitful, or exaggerated. The criminal is an egotist; his egoism often becomes almost, if not quite, a delusion. Possessing keen instincts, perhaps, his reasoning faculties are beclouded; he is apparently lost in the wilderness between premise and conclusion. The imagination is feeble or perverse. Prisoners are suspicious, revengeful, insincere; criminals of a certain class are unduly emotional, but their emotions are ephemeral; there is obstinacy enough, but they are weak-willed; they endure privations, resisting moral motives for long periods of time, and finally, when the will consents, they are incapable of continuing in the chosen course of conduct.

All who have carefully observed criminals must agree that there are anatomical and physiological peculiarities of the real criminal, evidences of degeneration—possibly atavistic degeneration—that suggest the traits of savagery in his habits and customs.

The moral sense is minimized, or paralyzed, or absent, or at best perverted. There are among prisoners prayers and pratings—plenty of them; there is some regard for the religious dogmas they have been taught; but the inbreathed spiritual life that gives conscious uplift of soul and contact with God is rarely or never found with the criminal, properly so called. The physical pleasures of such are usually of the grosser sort, excessive and illegitimate; their intellectual enjoyments are frivolous, sensational, meager, but occasion no discontent or sense of want. The peace of an approving conscience and the pain of remorse are not common conscious experiences among them.

After diagnosis is classification, not necessarily separation, but a division into groups, so that the prisoners of each of the groups shall favorably act and react upon each other. But upon what basis shall such a classification be made? Shall it be upon the statutory grade or real gravity of their crimes? No. Upon their age? No. Upon their conduct as relates to prison rules? No; not altogether. Shall it be upon their ascertained character? To this we answer, Yes, if discrimination is made as between what Kant terms the intelligible character and the empirical or acquired character, between the congenital, instinctive, criminal impulse, and the cultivated or acquired tendency.

As things are, it is better, perhaps, not to disturb the existing statutory separation of prisoners. The separation of the sexes must be always maintained, the separation of juvenile from adult criminals, and possibly, for the present, misdemeanants and felons may be treated in separate prisons, absurd as is the statutory distinction between them. Besides, there are from five to ten per centum of prisoners bad, and a similar ratio of the good, whose separation from the mass to be classified and treated would be a salutary measure. Here at this line classification rather than separation should begin. It is not desirable, if possible, to sort into separate companies those of equal vicious or virtuous grade of character. It has been said of society that it "is like an edifice composed of materials diverse, which is held standing by the masterly manner in which they are mingled. If all the bad were placed on one side alone, we should obtain a frightful quintessence of vice, and the remainder, becoming enervated by the absence of anything to contend with, would probably soon change over to the same side by a natural deterioration."

What is true of society in general must also be true of a company of criminals. Even if it could be shown that so-called moral improvement is promoted, when the good and evil are separated from each other, what guarantee is there that such unnatural growth would endure, when subjected to the strain of life in actual free society? If "evil communications corrupt good manners," it is nevertheless the order of nature, and so of Providence, that "the tares and the wheat shall grow together until the harvest."

Between the two extremes of positively bad and positively good is comprised the great bulk of prisoners—a leaden mass of social refuse, immoral, vicious, often vile—a forbidding field of material for the making of good citizens under ordinary motives. Of an average mixed company of prisoners, it will be found at the beginning that say 40 per cent of them have no desire for improvement, have probably never so much as thought of self-improvement; another 35 per cent, when the matter is brought to their attention, have a feeble wish for betterment, but, if unaided, are incapable of making effort for it; the remaining 25 per cent have, in various degrees, both the desire and the inherent power to improve themselves, but must be aroused to effort, and carried along by strengths and helps derived outside of themselves, until improved tastes and habits are formed and confirmed.

Possibly some further separation of differing classes may be useful; but it is believed unwise and probably hurtful to separate for special treatment the prisoners of a state or prison into three several companies upon the basis above stated, or upon any basis; on the contrary, there is an important possible advantage in treating together the men of these diverse habitual moods. No doubt the completest classification will reach to each individual prisoner, as such, outside of, if not independent of, the group to which he belongs; but absolute physical separation with actual sustained mental isolation is not desirable, even if it were possible. The true ideal classification is, then:

1. Some necessary general separation.
2. A division or scientific grouping without separation.
3. Regulated association for effective treatment.

The influence of the prisoner's circumstances and surroundings from birth to conviction,—his home or homelessness; his dietary, education, or illiteracy; his companions, associations and habits;—these must be changed: first a halt in his habitual life, then a radical change. He is to acquire a new character in place of the old acquired character, with whatever modifying effect these processes may have upon his primitive or native qualities.

Letters and visits from familiar friends, even from family relatives, should at first be interdicted or restricted; common newspapers and current news in any form prohibited; his habits of life must be interrupted; boxes of fruit or food, articles of clothing or of room-furnishing, trinkets, flowers, toilet articles, books, and the well-intended personal ministrations of benevolent and religious persons from outside the prison, should be excluded. Whatever is useful should be supplied by the state, through the prison officers, under a centralized directory. From the very day of a prisoner's admission to prison, should begin and continue intelligent, active, strong effort to prepare him for his release. The best course of treatment should be selected, recorded, and immediately entered upon. It is nonsense to allow prisoners to choose their course of treatment, unless perchance their choice agrees with the plan prescribed. The prisoner must progress at all hazards; compulsion may be used where it is found necessary,—any form of it best suited to accomplish the object in view.

The best government of a state or of a common punitive prison may be that which governs least; but not so of the discipline of a reformatory prison, where prisoners are to be taken vigorously in hand, their voluntary activities first reduced to the minimum, and so far as possible come under the direction of others of the duly appointed officers. This is distasteful to the lawless, ungoverned criminal, and creates friction. It is troublesome, of course, and might be dangerous, were it not for the wonderfully conservative influence of the indeterminate sentence system.

The treatment of imprisoned criminals, if effective, must be controlled by a centralized authority, directed by a single officer, and applied to individuals in distinction from the mass. The importance of individual treatment can not be overstated. Moving addresses, music, illustrated instruction, may be made serviceable to awaken interest, occupy attention, excite good sentiments, and to maintain a healthful tone. Still more may such measures be useful, when applied to selected groups; but unless such efforts are supplemented and harmonized with individual treatment, they are comparatively of little worth; and also the best personal ministrations must be, in the absence of a healthy tone throughout the prison, of greatly diminished power. By personal ministrations is meant more than good advice, kindly interest, persuasive appeals, which are often but the rehearsal at private interview of stereotyped talk, delivered publicly in sermons and Sunday-school speeches. Formalism and cant are never so unsuitable as with criminals, whether in public or private address; to a company of prisoners, "show" piety and false philanthropy are peculiarly transparent. But it is also true that a sustained genuine personal interest and purpose to benefit is sure to penetrate to the soul of a man, in prison or out, and find response, perhaps at first obscure, then feeble, but finally response of genuine fruitage.

Physical renovation and training for mental quickening, with the view to moral training, should have important place in any rational system of reformative prison discipline; and it is indispensable for some prisoners, if they are ever to be reformed. There are many cases in every company of prisoners, where physical culture must precede and render possible a common education, and care should always be exercised to secure good health for the moral benefits of it. Dietary, dress, personal cleanliness, the bearing, physical development, all have to do fundamentally with a refinement of the physical nervous fiber that facilitates healthful mental activities and proper moral emotions, making honest work for a living no longer a drudgery but desirable and pleasurable.

Imprisonment that promotes reformation must include employment at industries and in the manner of industries found in free society; actual productive work, where machinery, methods, and tasks are the same within as without the prison walls. If there are incorrigible convicts, confine them in separate prison, if you will, and employ them at treadmill, shot-drill crank, or maintain them in idleness, as the economic and civilized sense of society shall decide; but for corrigible criminals, neither penal employment nor fictitious industrial conditions in prison can be allowed. In the selection and regulation of prison industries for these, any legislative restrictions are wrong; but three considerations can properly determine the matter: the prisoners should be employed as they would or should have been employed, had they never fallen into crime; the relation of the prisoner to his subsistence in prison should be substantially the same as that of an honest, self-supporting citizen outside the prison; and the prison government should (as may easily be done, under the indeterminate sentence and parole system) see that the discharged prisoner remains so employed after his release.

Besides productive there must be instructive work,—trade-schools, where little or no regard is had to production. These may be arranged for evening sessions, so as not to interfere with the regular intellectual school training, but actually to assist it. Manual training for the sake of training in industry is indispensable, and, when rightly conducted, is an essential feature of any system of education for mental development,—this within a prison, or in our public schools.

Education to furnish the mind, counting as of secondary importance growth of mind, is not that to which reference is here made; it is rather growth first, and furnishing as an incidental benefit. All true education is increase—advancement of the soul; and soul-growth is ever towards its creator, God. The prisoner's mind must be expanded. In proportion as a prisoner is educated during his imprisonment, will his conduct in common life be changed;—not so much because he chooses to change, as because he cannot help it, for, having a larger intellectual horizon, new considerations unconsciously influence his conduct; and it is by education in the sense here used that moral training is best begun. It is the natural avenue to the seat of the moral emotions, and paves the way for those superhuman influences that are believed to radically change the character.

Primary instruction alone is insufficient; the curriculum of a prison school must cover ground enough to task to his best performance always every pupil, whether illiterate or learned. Graded schools, oral instruction, written monthly examinations, determining proportionately the prisoner's progress toward liberty again; educational progress in such schools, satisfactory results in the true system of prison labor, together with successful self-regulation under the prison government, all shown by a wise marking system that takes note of very minute matters, must be included in any prison discipline that works the necessary reformation to afford required protection.

We instinctively recoil from the remembrance of prison discipline in American prisons less than half a century ago; but it is by no means sure that we have as yet very much improved upon it. The privations and rigorous requirements at the period named were, perhaps, unnecessary, but were well-intentioned, and administered by men as wise and warm-hearted as we are. They committed mistakes no doubt; who has not? But imprisonment then meant something more than a prison picnic. There is danger that our philanthropy may become pusillanimity; spoiling our prisoners instead of building into their characters a hardness that gives courage and endurance. There is no tenable middle ground between the rigorous, repressive prison discipline of the earlier penitentiaries and a strict, exact, intense pursuit of individual reform in our prisons. We have left the former, and cannot now return to it; let us then have faith enough, courage enough, wit enough, to realize the latter, planting ourselves firmly upon the principle that the prison discipline of these modern times must be made in fact what it is not, or is too often only in name. Let us be reformatory.

X

PRISON LABOR

By JOSEPH P. BYERS

Superintendent of the New York House of Refuge, and General Secretary of the American Prison Association

LABOR has long been recognized as one of the essential requirements of prison life. Imprisonment "at hard labor" is quite generally imposed as a form of sentence of those convicted of crime and sent to penal institutions. The idea of labor as a part of the sentence was primarily punitive. The truth of this is quite evident from a reading of the penal codes and laws of the several states.

"Punishment in the state prison by imprisonment shall be by confinement to hard labor." (Law of Maine.)

"Prisoners sentenced to the punishment of hard labor shall be constantly employed for the benefit of the state." (Law of Florida.)

"All punishment in the penitentiary by imprisonment must be by confinement to hard labor." (Law of Iowa.)

But the power of the state to punish must be interpreted as involving a duty to restore through punishment, and not to destroy. The penal codes and laws of all of the states provide that prisoners shall be employed and they undertake to define and regulate the methods of such employment. The punitive idea required that prisoners should be constantly employed; humane reasons suggested that they be not held in enforced idleness; the large expense for the maintenance of prisons made it necessary that this burden to the taxpayer be lightened as far as possible by compelling prisoners to contribute by their labor to the cost of their care and maintenance; steady employment was essential to their control and discipline; and, of supreme importance, it was increasingly recognized that the restoration of the prisoner to sound citizenship must be based, very largely, on his industrial training and efficiency.

It is no discovery of modern times that idleness is the mother of crime. The best possible crime preventive is the habit of steady and regular employment. The chief object of imprisonment being to restore men to a safe citizenship and to afford protection to society from their criminal acts, it is incumbent upon us not only to cure them of their evil or vicious tendencies, but to render them immune from recurrent attacks. This process of immunizing may or may not involve a complicated course of treatment, but the result, if the treatment is successful, must be a man physically and mentally equipped for honest self-maintenance; one who not only knows *how* to work, but who is *willing* and *able* to work. Hence the importance of prison labor as an essential part of our curative treatment.

The bulk of our criminal class is composed of men who are much below the average in industrial efficiency. They are unskilled in any honest trade or profession, often illiterate, unsteady of habit and unstable in character. Our avowed purpose being their reformation, an increase of their industrial value, coincident with the establishment of good character, becomes necessary.

There is, however, little or no educational value or reformatory influence in purely penal labor. Prison administrators and penologists are a unit in declaring the need of industrial employment, first, as a means of discipline; second, as the most efficient reformative influence; third, as conserving the physical, mental and moral health of the prisoner; and fourth, as a medium through which the cost of maintenance to the taxpayer is reduced.

In the Declaration of Principles adopted by the National Prison Reform Congress held in Cincinnati in 1870 were the following:

"Industrial training should have both a higher development and a greater breadth than has heretofore been, or is now, commonly given to it in our prisons. Work is no less an auxiliary to virtue than it is a means of support. Steady, active, honorable labor is the basis of all reformatory discipline. It not only aids reformation, but is essential to it. It was a maxim with Howard, 'make men diligent, and they will be honest'—a maxim which this congress regards as eminently sound and practical. . . .

"As a rule, the maintenance of the penal institutions, above the county jail, should be from the earnings of their inmates, and without cost to the state; nevertheless, the true standard of merit in their management is the rapidity and thoroughness of reformatory effect accomplished thereby."

The late Carroll D. Wright, United States Commissioner of Labor, in an address on prison labor before the 1899 meeting of the National Prison Association, said:*

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* National Prison Association, Hartford, 1899, Proceedings, p. 212.

"Penologists, philanthropists and politicians, not only in the old country but in this, long ago saw that purely penal labor had no reformatory elements in it and that convicts must be put upon some practical, productive work, in order best to secure their reformation."

Brainard F. Smith, California, associate commissioner for the International Prison Commission, in a report prepared for that commission, wrote:*

"The question of employment of prisoners has always been full of perplexity. That prisoners must labor is evident to every thinking person. It is necessary for their physical and moral well-being. The experience in every enlightened nation in the world positively establishes this fundamental principle. That the labor shall be productive is claimed to be a vital condition of success in reforming convicts by conspicuous prison administrators and the greatest prison reformers. That the vocation in which each prisoner is employed shall be of such a nature as to fit him to be self-supporting upon his discharge is equally important. The majority of those who commit crime have no trade. They are common laborers, shovel-and-pick men; have never been taught habits of industry, and have fallen into crime because they could not obtain employment or were unwilling to work. In times of financial depression the common laborer suffers loss of employment first. The prisons fill faster than before from their ranks. The man with a trade, the skilled artisan, is found in such small numbers in the penitentiaries as to attract the attention of even the careless thinker. Reformation in men of this character, who are not criminals by instinct, but by pressure of want, can be effected largely by teaching them habits of industry and supplying them in some measure with mechanical skill. When a prisoner is liberated, he should have some practical knowledge and ability to earn a livelihood. It is cheaper for the state and better for society to have trained him in such a way than it is to allow him to relapse into crime by reason of his inability and thereby cause the state to incur all the expense of another conviction."

So also Fred. G. Pettigrove, general superintendent of prisons of Massachusetts, in the same report: †

"The work in all the prisons is arranged, as far as the statutes will permit, with a view to give useful instruction to the convict.

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* Prison Systems of the United States, Government Printing Office, Washington, D. C.

† Pages 69 and 70.

. . . . The general sentiment of the community is against the employment of prisoners for the sake of profit and is strongly in favor of making their work serve solely the ends of instruction and training."

O. N. Barnes, president of the joint prison boards of Michigan, in the same report,* urges the value of productive work:

"Merely penal labor, that is, toil with no regard to production, is not pursued in the prisons of this state. Labor that is productive is preferred as better calculated to build up the character of the convict. . . . The fact is, it is as reasonable for convicts to produce as for free men to produce, or for the same men when they become free. The convict gains no right to be supported by the state by reason of his crime, and the state loses no right to insist he shall support himself because of it. The sense of duty to support one's self is one of which the criminal is most destitute, and one the prison discipline must undertake to impart. There is no way this can be so well done as by having him produce, just as the honest laborer does, things that do support."

Z. R. Brockway writes:

"It is amazing that the simple problem of employing prisoners has throughout the civilized world attracted so much of attention, and yet found no solution.

"Prisoners must be employed mainly at mechanical work. Their labor must fit them for free life, and contribute a large proportion of the cost of their support. The prison labor products must be marketed at a price and in a manner satisfactory to the good sense of the general public.

"Politics, proper, must supplant partisanship; science replace sentiment; reformation root out retribution, in the management of prisons and in the criminal law."

General R. Brinkerhoff:

"So again, upon the subject of prison labor, there is no difference of opinion among us as to its necessity. Without it there can be no discipline, no progress, no reformation, no intelligent prison administration.

"In the matter of prison labor, however, we are satisfied that more depends upon the efficiency of administration than upon the system adopted. Under an inefficient partisan administration,

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* Pages 83, 86, 87.

Carpentry Class

Upholstery Class

New York State Reformatory, Elmira

where reformation of the prisoner has no place, the contract system is undoubtedly the best, for it will make money without any risk; but if the reformation of the prisoner is to be the main object, then some other system must be adopted, and trained officers and civil service administration is a necessity."

Otis Fuller:

"What is the remedy? The public must be made to see that the convict must be made to work for his own good; that the convict's work must be productive and that the product be sold on the market at the best possible price for the tax payer's good; that the work of the convict must be the kind of work free labor does, as that is the kind he will be required to do if he makes an honest living outside.

"The public must be made to see that if the convict produces anything the world uses, that product must of necessity compete to some extent with the product of free labor, and if he does not produce anything, free labor in the end must support him."

Joseph F. Scott:

"While there still may be some difference of opinion whether such labor should be productive or unproductive, it is safe to say that we have reached a point where the essentiality of labor in prisons has become an established principle in penology. Our concern now is to find and introduce that kind and manner of labor most beneficial to the prisoner, at the same time least detrimental to the free laborer, and, if possible, remunerative to the state."

National Prison Association, 1883:

"RESOLVED: That in the judgment of this Association, productive prison labor is an indispensable factor in the work of prison reform, and that any scheme which has a tendency, direct or indirect, to promote or permit the idleness or unproductive labor of prisoners, will inflict irreparable injury upon the prisoner, the workingman, and the state."

On October 1, 1909, the total number of prisoners in the penal institutions of the United States was approximately 79,000. Of these there were in state and national prisons and penitentiaries, 57,500; in county and municipal workhouses, 12,750; in adult reformatories, 8,750. Approximately 53,200 of the whole number, 67 per cent, were industrially employed. Of the remainder 17,500 were occupied in routine institution work, 2,600 in trade schools, 2,800 sick and disabled, and 2,900 idle (able-bodied).

The number of prisoners employed in so-called institution duties (17,500) is excessive. But in many states the restrictions placed on the industrial employment of prisoners are so severe that great difficulty is found in providing employment of any kind. If these restrictions were removed and incentive thereby given to prison managements to employ the maximum number of prisoners at productive labor, at least 8,000 of these 17,500 could be transferred from the non-producing to the producing class. Not infrequently prisoners are assigned to domestic and other prison duties, not so much because they are needed, but for the sake of keeping them from absolute idleness.

Those engaged in the trade schools (2,600) are inmates of the state reformatories. The purpose of their work is industrial training. The small incidental production is usually consumed in the institution where made.

That 2,900 able-bodied prisoners are idle is due to the restrictions imposed upon prison labor by adverse legislation, the character of which is shown elsewhere in this chapter. The number of idle prisoners fluctuates with changes in the general industrial conditions of the country, decreasing, as at the present time, when these conditions are at their best, increasing at times of general depression, when markets are dull and free labor unemployed.

Concerning the 53,200 prisoners industrially employed: 3,000 were at work under the lease system; 15,700 under the contract system; 3,200 under the piece-price system; 10,000 under the state account system; and 21,300 under the state use system.

SYSTEMS OF LABOR

(1) The lease system, up to fifteen years ago was very generally in use in the southern states.*

(2) The contract system differs radically from the lease system. Here the state keeps the person of the prisoner directly under its own control; lodges him in a state prison; provides for his safe custody; disciplines, feeds, clothes and otherwise cares for him, but surrenders his employment to an individual or firm known as a contractor. The contract provides that the state shall furnish the contractor with a specified number of prisoners who are to be employed at a stated industry or industries; that in return for this

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* See details in article of Mr. A. J. McKelway, page 68 of this volume.

labor the contractor shall pay to the state a stipulated sum, per diem, for each prisoner so employed. Under this system prisoners work within the prison enclosures, usually in shops and buildings owned and provided by the state, and under the immediate supervision and control of the prison officials. The contractor furnishes only necessary instructors and machinery, and of course all of the raw material. Usually light, heat, and, in many instances, power are furnished by the state. The state has no financial liability so far as the purchase of material is concerned nor as to the disposal of the finished product. The discipline of prisoners is entirely within the hands of the prison authorities. The amount of work that a prisoner shall accomplish daily, called a "task," is regulated, as a rule, by the warden and contractor, with the approval of the board of managers of the prison.

Not infrequently there are a number of separate contracts in the same prison, differing materially in the nature of their products. The assignment of convicts to them is made under the direction of the warden or superintendent. The power thus placed in his hands to determine what prisoners shall work on each contract is one of the essential faults of this system. It tends to create a partnership of interest between the warden and contractor, whereby the better class of workmen among the prisoners is given to a particular contract. Similarly the warden has it largely within his power to materially affect the earnings of a contract by selecting for it workmen of inferior capacity. The warden may remove from the contract any prisoner who from physical or other disability is unable to accomplish his task. The prison physician is usually consulted in such cases. The success of the contract system from the standpoint of both the contractor and the state requires that prisoners who fail to finish their task on account of wilfulness or carelessness shall be subjected to the pressure of discipline to stimulate them to better effort. The maintenance of discipline under any form of prison labor, however, requires that prisoners perform the work assigned them.

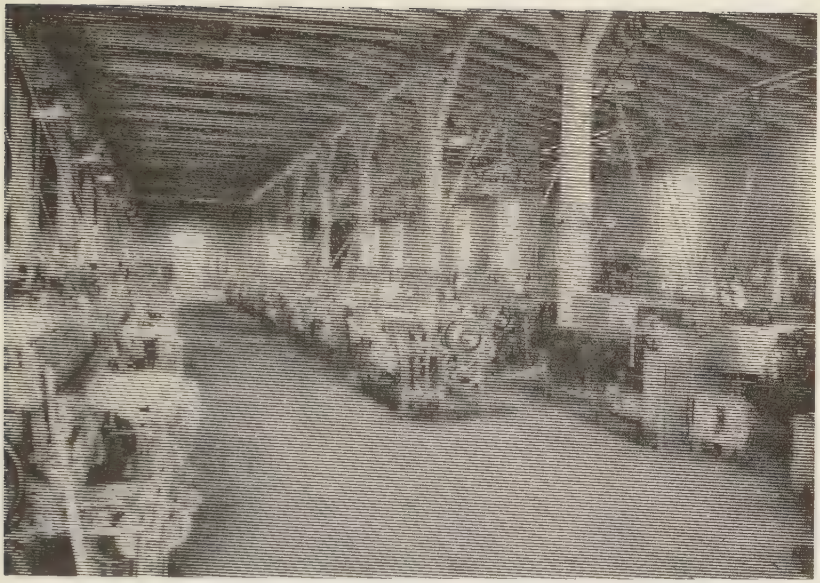
The period covered by contracts is usually five or ten years. The per diem amount paid to the state for the labor of prisoners varies greatly with the character of the industry followed and the general industrial conditions prevailing at the time the contract is made. The average price paid is between sixty and seventy-five cents per day, per prisoner. The contract system has been in very general use and is still in vogue in more than half of the states. In this connection it is interesting to note the following declaration of the Cincinnati Prison Congress, 1870:

> "While industrial labor in prisons is of the highest importance and utility to the convict, and by no means injurious to the laborer outside, we regard the Contract System of prison labor, as now commonly practiced in our country, as prejudicial alike to discipline, finance and the reformation of the prisoner, and sometimes injurious to the interest of the free laborer."

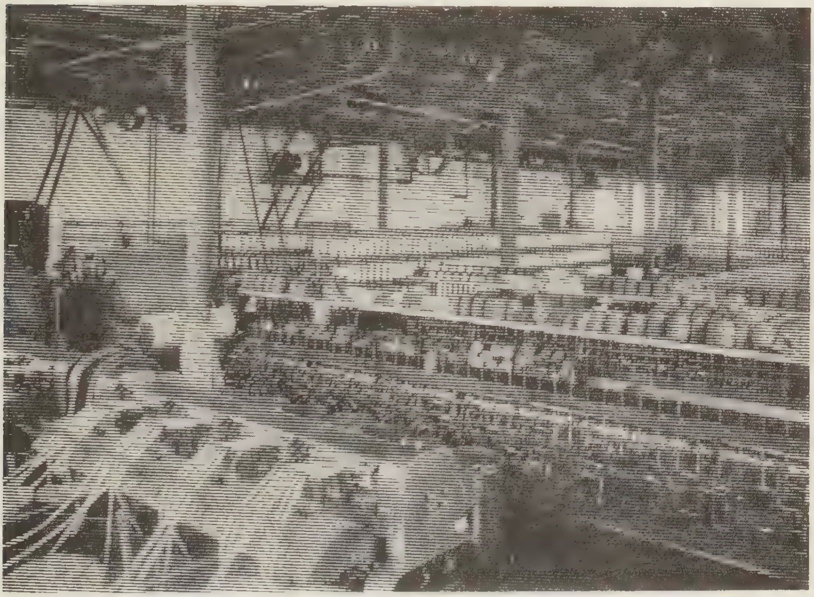
The principal lines of manufacture are furniture, clothing, boots and shoes, farm implements, brooms and brushes, hosiery, stove hollow ware, stoves, brick, farming, harness and railroad building.

(3) The piece-price system differs from the contract system in two essential particulars. Under the former the contractor pays for the convict on the basis of a day's labor; under the piece-price plan he pays an agreed rate for the articles produced by his labor. Under both systems the contractor furnishes the raw material. Under the system first named he superintends the making up of this raw material into the finished product, paying for the labor on a per diem basis. Under this plan the prison authorities, as a rule, superintend the labor of the prisoners and become directly responsible for the character of the finished product for which, after its manufacture, the contractor pays an agreed price per piece. The responsibility of the prison officials for the character of the output is increased as compared with the contract system.

The chief advantage claimed for the piece-price plan is that it brings the control of the prisoner more directly under the prison officials during his working hours and that thus the prison authorities are better able to regulate the character and amount of his work—it being unnecessary under this system that the contractor or his agents appear in the workshops. Under both systems it is customary to fix a certain amount of work as a daily task, and to pay to prisoners who exceed their tasks a small sum, for so-called "overtime," the size of which is regulated by their output. Money for "overtime" is not paid directly to prisoners, but is deposited with the prison authorities, and may be used by the prisoner, under the rules of the prison, for his personal comfort or pleasure, or forwarded to his family, or held for him pending his release. The payment for this "overtime" under the piece-price system is calculated to have a better and more stimulating effect upon the prisoner, in that it is



Weaving Room



Spinning Room

Clinton Prison, Dannemora, New York

given directly by the state instead of by a contractor whose prime motive is always that of a personal profit from the labor of prisoners. This system has not been as popular or in such general use as the contract system. It is now in operation in about one-fourth of the states. The principal industries are boots and shoes, furniture, coal mining, clothing and hosiery.

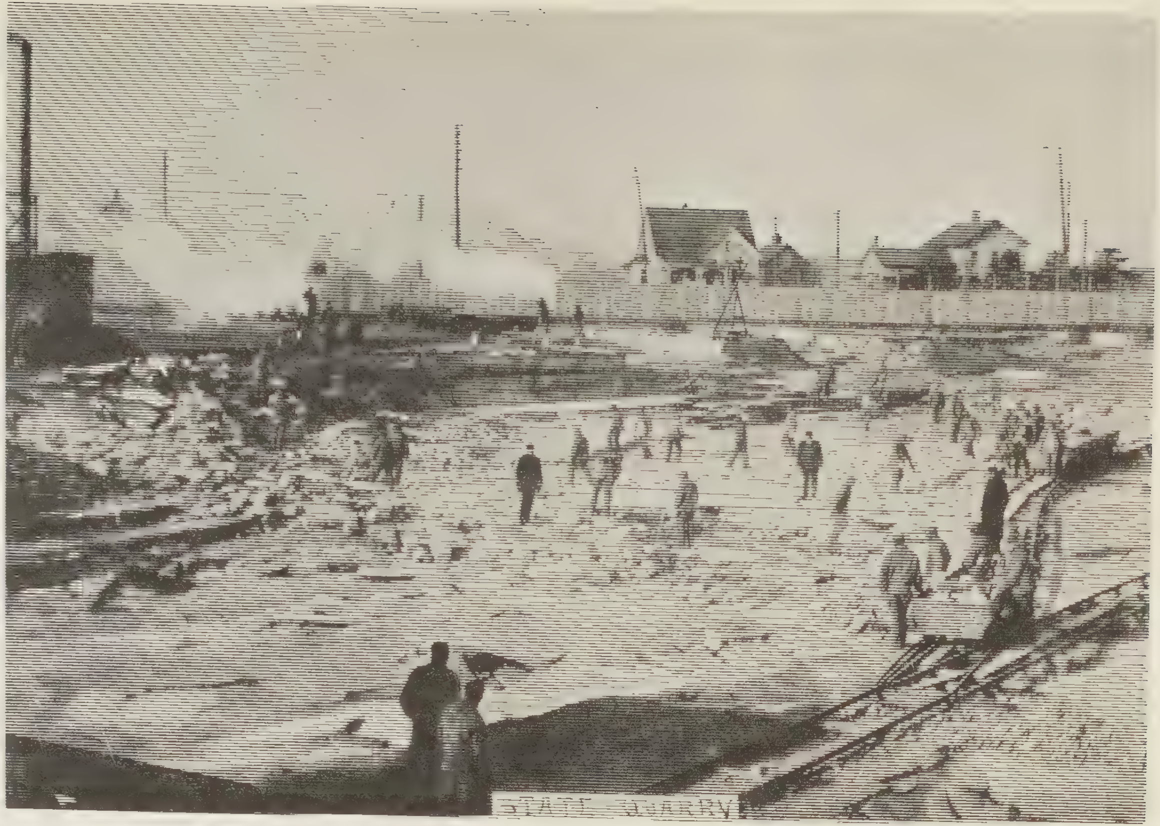
(4) The state or public account system differs materially from those just described. Under this system the lessee or contractor disappears entirely from the prison industries. The institution, meaning the state or municipality (depending upon whether the institution is a state or municipal institution), now undertakes to employ the prisoners in the manufacture of goods to be sold by the institution in the open market, and assumes all financial responsibility. Under this system the warden or agent of the prison must purchase all raw material, supervise its manufacture by the prisoners and dispose of it. Thus the prison becomes an industrial establishment operating along much the same lines as any outside free industry. It is found in nearly one-half the states, although the total number of prisoners employed under it is materially less than under the contract system. The contract and piece-price systems place the manufactured product on the open market at prices regulated solely by the contractor. The public account plan disposes of the product at prices fixed by the prison officials. Competition under the former, so far as the question of price enters into it, is regulated by the contractor; in the latter instance, however, the institution, representing the state, becomes a direct competitor with free industries of like character. One of the chief objections made to this system is that the financial and business responsibilities imposed upon wardens and superintendents prevent them from giving largely of their time or attention to other important administrative duties. In this respect the contract and piece-price systems are superior.

Several states have made a striking success of the public account system, notably Minnesota and Texas. In the former the manufacture of "binding twine" has been followed with unusual success, financially, but the industry has little or no value from a trade standpoint.

In Texas, the state has adopted the policy of engaging the convicts largely in farm work. The superintendent of one of the state's prisons, Col. R. H. Underwood, states:

"It became almost imperative to have recourse to a class of employment which gives occupation to the convict without competing with labor unions; therefore, it was decided that agricultural pursuits would least interfere with labor of a skilled nature; hence the establishment, promotion and growth of the vast cane fields that are now operated by convict labor on state account.

"During 1908 the penitentiary board purchased the Imperial Farm, consisting of over 5000 acres of land, at a purchase price of $160,000. The Ramsey Farm was bought at the same time. In addition to the foregoing purchases the state was the possessor of what are known as the Harlem and Clemens state farms aggregating about 13,000 acres, which farms are cultivated in the raising of cane and corn. There are about 1,800 convicts employed on these farms during the months of October, November, December and January, made up of whites, Negroes, and Mexicans; however, during the other eight months of the year, or rather during the season outside of what is termed grinding time, there are not more than 1100 or 1200 convicts at this work, and they are made up of about 80 per cent Negroes. In addition to the cultivation of sugar cane on the state farms this cane is ground and made into sugar molasses at the sugar mills erected on the farms for that purpose, which mills are operated by convict labor, having citizen overseers and foremen. From a financial standpoint cane raising has proved successful, and it gives an opportunity to exercise the surplus labor attendant upon a prison population of about 3600 convicts, this labor being of a class not requiring either skill or previous knowledge of the work, and while it is not wholly suitable for all classes of convicts, it has proved entirely so for the Negro prisoners, they forming about 60 per cent of our prison population. The administration has established up-to-date prison buildings and hospitals on all the state farms, and we are pleased to note that the mortality on the sugar farms is almost insignificant, the death rate being appreciably lower on these farms than it is in any community of a like population in the state. To be more explicit, the cane farms have proved better adapted to the Negro convict population than the work inside the prison walls of Huntsville and Rusk prisons. Farm work has proved healthful and generally conducive to the welfare of the Texas convict when worked and controlled by the state entirely, and these farms are now at a stage of perfection that makes them a practical solution of what disposition to make of surplus convict labor.


STATE QUARRY

Quarry, Illinois State Penitentiary, Joliet

"Rusk has about 400 prisoners, who are employed in the iron industry. Huntsville Prison and the Wynne Consumptive Farm average about 250 whites, 150 Negroes and 75 Mexicans, each race being kept in a separate building.

"There are several large industries in operation here; a furniture factory, a machine, boiler and foundry industry from which is shipped daily their output of skilled workmanship to numerous customers in the state; a wagon and blacksmith department which turns out carloads of wagons that are distributed to points all throughout this and other states; a cotton factory which weaves all the cloth that is made in convict clothing and bedding for the entire penitentiary system; and a shoe shop that manufactures all the boots and shoes for the use of the system.

"Huntsville Prison has a splendid dairy with an average of from 800 to 900 pounds of butter and 1,500 to 1,800 gallons of milk per month, which is served to the prisoners and guards."

The leading industries of the public account system are binding twine, bags, boots and shoes, brooms and brushes, furniture, farming and coal mining.

(5) The fifth and newest system is known as the state use system. In many essentials it is similar to the public account plan, the purchase of the raw material and its manufacture being conducted much the same under both systems. The chief difference between them is that the prison product instead of being sold in the open market is disposed of only to the other public institutions, municipalities, and political divisions of the state. Here the state, instead of becoming a direct competitor with outside industries, as with the public account system, disposes of its product to meet its own requirements. Competition is felt by free labor here, not directly as under the other systems, but only in the curtailment of the market by excluding the free product from a field it would otherwise occupy. The leading industries of the state use system are clothing, furniture, boots and shoes, road and highway building, farming, cloth and stone cutting and quarrying. Although the state use system prevails more or less in all of the states, some prisoners invariably being engaged in supplying the needs of their own institution, it has been adopted only in New York state to the absolute exclusion of all other forms of labor.

This system properly includes also the working of convicts on public works, roads, bridges, reclaiming land, etc., although this class of work is sometimes referred to as the Public Works System.

The utilization of prisoners for road construction is more general in the southern states, than elsewhere.*

In Massachusetts, where much success has attended the partial introduction of the state use system, the total sales of prison products to other institutions in 1908 amounted to $195,750. The prison commissioner, Mr. Pettigrove, in his report for that year says:

"Very few serious complaints are made by the different institutions, although it has never been claimed by the prison authorities that the articles and materials produced by prison labor under this plan would be equal in quality to goods purchased outside. Several times it has been said in this report, with reference to the improvement in the grade of manufacture, that great difficulty is experienced in any attempt to perfect special articles, because requests from the institutions are so varied in their character. This trouble has been aggravated by the fact that, in a few cases, institutions will suddenly change their requirements without notice. So few instances of this kind occur, however, that it is believed they will shortly disappear altogether. No statutory regulation is recommended unless it might be to provide that the different supervising boards should, at stated intervals, hold conferences and prescribe a general form of the goods to be produced by the labor of prisoners for the institution."

In Massachusetts, in 1883, a state farm was established on what had hitherto been waste land. This land has been reclaimed and is now profitably cultivated by prison labor. The men, numbering 300, work in the open; yet no difficulty has been experienced in their control or safe custody. Later a prison camp and hospital were established where similar work is being prosecuted.

In California, 800 prisoners are now engaged in building operations and quarrying stone for new prison buildings.

The state use plan, as now in operation in the state of New York, seems to more nearly meet the needs of the prisoner as to industrial employment than elsewhere under any other system, gives a satisfactory financial return from his labor, and provides for the disposal of prison products without injurious competition with free labor. In no other state has the system been organized on such a large scale and so perfected. In 1909 the value of prison-made products of the three state prisons was $900,000. The difference between the cost of all raw material, including cost of manufacture

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* For outdoor work in the southern states, see article by Mr. McKelway in this volume.

(supervision, instruction, etc.), and the selling price of the finished product was $180,000. This represents the value to the state of labor of state prisoners. The total cost of maintaining these three institutions for that year (1909) was $550,000. Crediting the earnings, as here given, reduces this cost to $370,000, representing a return to the public treasury of nearly 33 per cent of the annual outlay for their support.

The chief advantage of this system, however, is not financial. Any of the other four systems, efficiently administered, yields a larger revenue. This is true even under the lease, contract, and piece-price systems, where the revenue from the prisoners' labor is divided between the lessee or contractor and the state, the latter not infrequently receiving proportionately less than the former. The cost of its administration is enhanced by the necessity of furnishing a diversity of products. The requirements of the state for any one article are not sufficiently great to keep a large number of convicts constantly at work. If, therefore, all prisoners are to be steadily employed, many lines of manufacture must be introduced. This requires a large original outlay for machinery and shops and increased expense for their maintenance and administration. But the benefit derived from diversified industries in affording better opportunities for trade instruction much more than compensates for the additional cost. In the three state prisons twenty-six different industries are now carried on, covering seventy-five distinct trades.

The prices at which the prison manufactures are sold to other institutions are fixed by a so-called board of classification. This board is composed of representatives from each class of institutions and from the Prison Department. It has been their aim to establish selling prices to conform to the prevailing market rates. All public institutions in the state are required by law to patronize the prison industries whenever their needs can be supplied therefrom.

Some complaint is made as to the quality of certain goods manufactured, but, on the other hand, it is generally acknowledged that in many lines the product is fully equal to that of free labor. It is to the credit of those who have been charged with the responsibility of administering the system that within a period of ten years these prison industries have been placed on a firm footing without disturbance to or serious opposition from free labor. Time and experience for the officials and patience from the public should remedy present defects. It remains for the future to determine how far this system can be applied to the minor penal institutions (county penitentiaries and workhouses). As yet little has been attempted and less accomplished. Their size, the character of their inmates, and short sentences combine to make industrial employment, as developed in the state prisons, exceedingly difficult. Some form of centralized authority over them would doubtless simplify the problem.

The use of county jails for convicted criminals is unwise, although very generally practiced throughout the United States for short term prisoners. Their lack of facilities for classification and employment have brought upon them general condemnation as schools of crime. The elaboration and general adoption of the county or district workhouse system, as now operated in Massachusetts, Ohio and several other states is the solution offered by penologists.

The total value of prison-made products in the United States for the year 1904 (the last available statistics*) under all systems was $33,280,940, employing an average number of 51,172 convicts. The value of the labor entering into these products, on the basis of wages paid outside of prison for similar work, was $11,915,000, or 34.8 per cent. The relative value of the different systems on the basis of production is well illustrated by the following figures. The lease system gave employment to 7 per cent of the total number, and produced 8.5 per cent of the total value; the contract system employed 33 per cent and produced 49 per cent of the value; the piece-price employed 8 per cent and produced 9.5 per cent; the public account employed 16.5 per cent and produced 14 per cent; and the state use system employed 35.5 per cent, but produced only 19 per cent of the whole value.

A more or less constant adjustment of prison industries has been imperative to meet new conditions imposed by legislation. In not a few instances absolute idleness has resulted and continued until new plans could be devised and perfected for the prisoners' employment.

The state of Pennsylvania has utterly demoralized all its prison industries through adverse legislation, enacted at the demand of organized labor. Of the 2900 idle, able-bodied prisoners in the United States on October 1, 1909, 2073 were in Pennsylvania. The class of legislation that has brought about this deplorable condition is fairly indicative of similar legislation in many other states.† The abolition of the piece-price and contract systems, and the restricting of the number who may be employed on public account, in connec-

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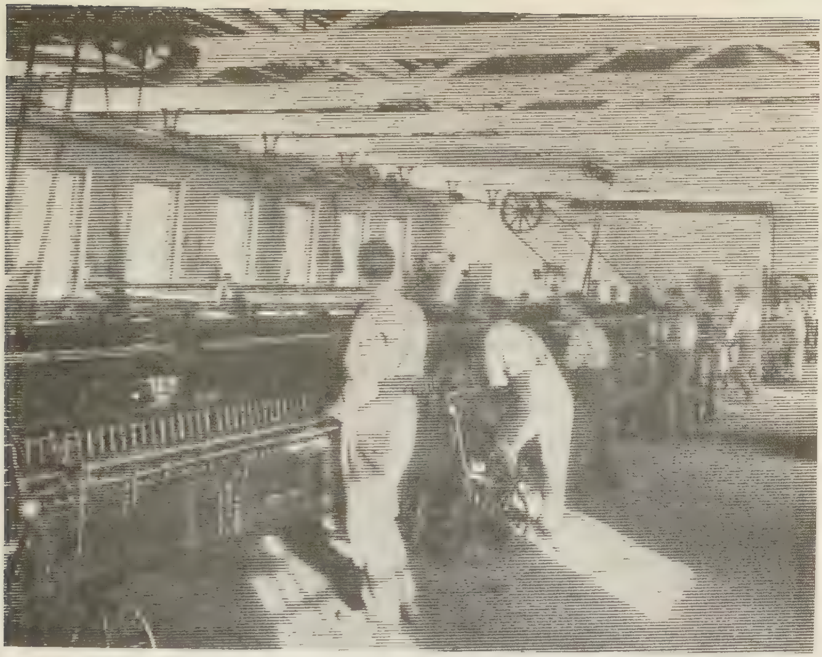
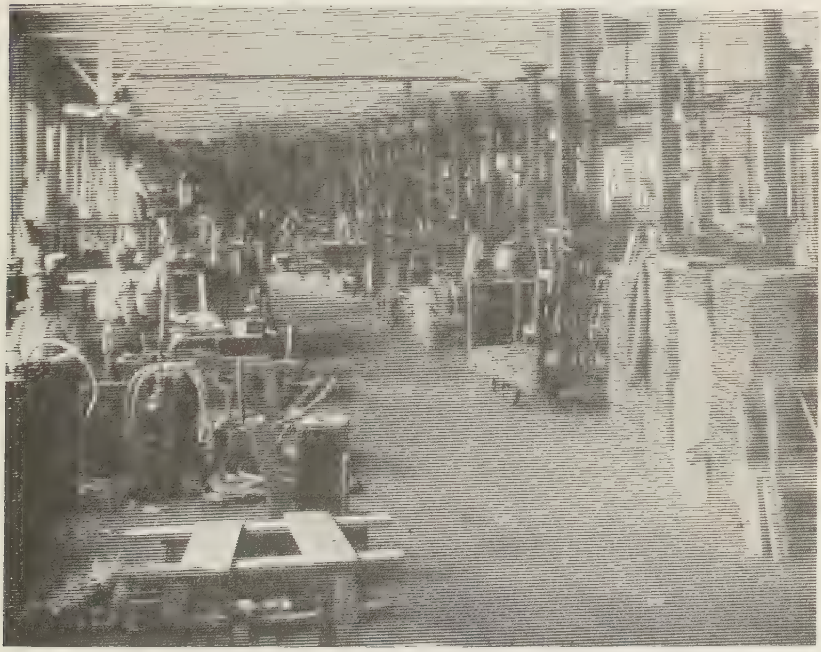
* Twentieth Annual Report, U. S. Commissioner of Labor, 1905.

† For extracts from these laws, see the following pages.



Spinning Room



Cabinet Shop

State Prison, Auburn, New York

tion with the adoption of other measures calculated to make it impossible to dispose of even the small amount of goods manufactured, must lead finally to the non-employment of all prisoners or to the adoption of the state use system.

In most of the states changes in their political control are not infrequently followed by a complete reorganization of their institutions, one set of officials being displaced to make room for others of different political faith. Under such a system, where the first requisite for appointment is that of party loyalty and service, with tenure of office assured for only a short term of years, usually two or four, it is easily apparent why the principal concern should be the making of a record for a "business administration." If we have unduly exploited prisoners in order to make our prisons a source of revenue, the practice can be attributed largely to partisan control. Qualification for the other more important duties of management is acquired only through training, experience, and fitness, and it is where these qualifications are found and recognized that our penal and other institutions have made real progress.

The trend of legislation concerning prison labor for the past decade and more has been toward the abolition of the contract, lease, piece-price, and state account systems, leaving no apparent outlet for the employment of prisoners except under the state use system. The attitude of organized labor toward any form of prison industry, whereby its product is brought into competition with the product of free labor, seems irreconcilably hostile.

A casual glance at the laws enacted by the several states to regulate the employment of prisoners is apt to impress one with the idea that the restriction imposed upon work, as found in the Fourth Commandment, was intended to apply to our penal institutions rather than to the Sabbath Day—"in it thou shalt not do any work." The following excerpts from the constitutions and statutes of a few of the states indicate the nature of this legislation and the methods adopted.

The great importance attached to the general subject is shown by the fact that, in nearly a third of the states, mention of it is made in their constitutions.

CONSTITUTIONAL PROVISIONS

CALIFORNIA: Prohibits the contract system; provides that convicts "shall be worked for state's benefit."

IDAHO: "Prisoners must work within the prison, except on public works."

ILLINOIS: Prohibits contract system.

KENTUCKY: Prohibits lease system; provides that all convicts shall be confined "at labor;" restricts work outside prisons to public works.

LOUISIANA: Prohibits lease and contract systems; authorizes employment on public works.

MICHIGAN: Prohibits teaching of "mechanical trades" except "the manufacture of those articles of which the chief supply for home consumption is imported from other states or countries."

MISSISSIPPI: Prohibits lease and contract systems; authorizes employment on public works; farming and manufacture may be conducted under state account system.

MONTANA: Prohibits contract system.

NEVADA: Provides for a board of prison commissioners.

NEW YORK: Prohibits contract system in any form; provides for state use system.

NORTH CAROLINA: Authorizes imprisonment "with or without hard labor;" prisoners may be employed on public works, and under contract or lease systems; government and discipline to be in the hands of the state.

SOUTH CAROLINA: Authorizes those sentenced to hard labor to be employed on public works and roads.

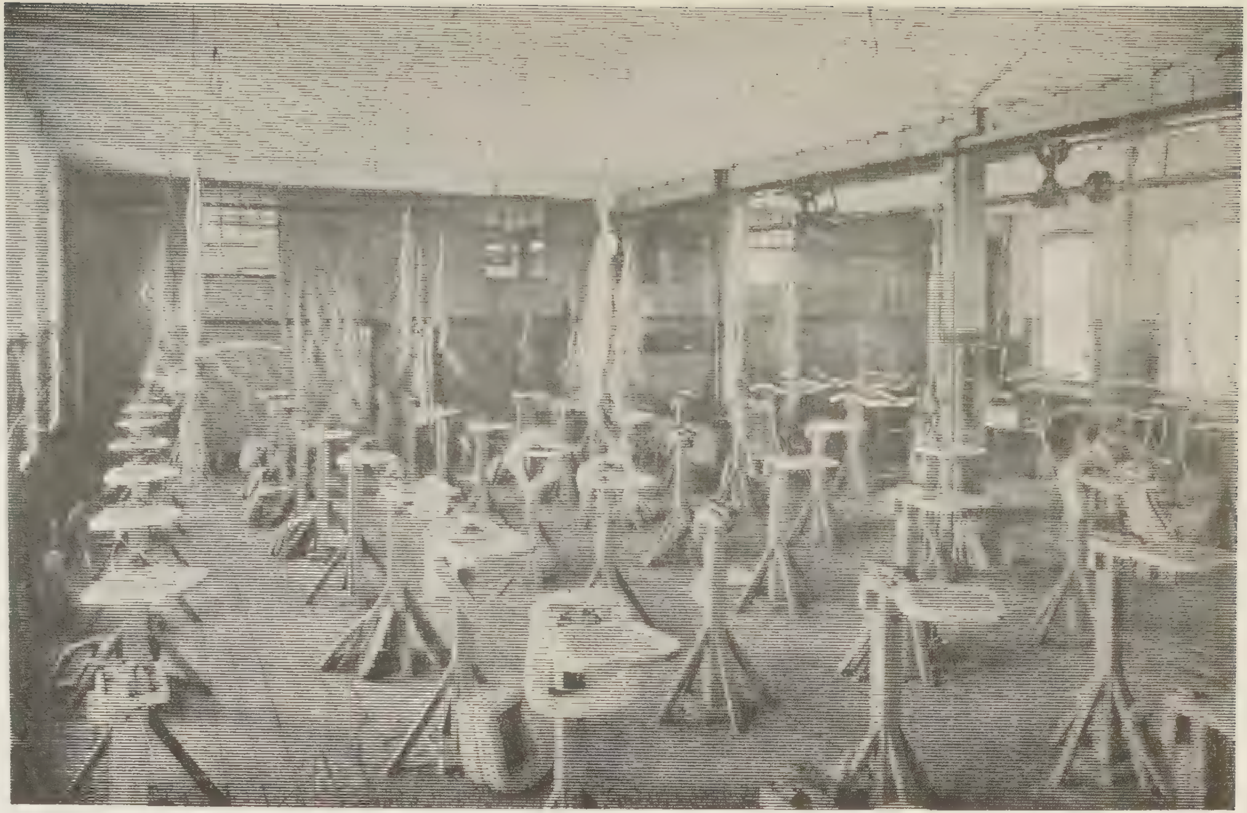
TEXAS: Directs the state legislature to provide for the employment of prisoners on public works, roads, etc.

VERMONT: (Contains several unique provisions not in accord with present-day ideas.) "To deter more effectually from the commission of crimes, by continuous visible punishments of long duration, and to make sanguinary punishments less necessary, means ought to be provided for punishing by hard labor, those who shall be convicted of crimes not capital, whereby the criminal shall be employed for the benefit of the public, or for the reparation of injuries done to private persons; and all persons at proper times ought to be permitted to see them at their labor."

WASHINGTON: Provides contract system; provides the convict shall be worked for the benefit of the state.

EXCERPTS FROM STATE LAWS

CALIFORNIA: "It shall be unlawful for any person to sell, expose for sale, or offer for sale within this state, any article or articles



Chair Caning Shop, Massachusetts House of Correction

manufactured wholly or in part by convict or other prison labor, except articles the sale of which is specifically sanctioned by law. Every person selling, exposing for sale, or offering for sale any article manufactured in this state wholly or in part by convict or other prison labor, the sale of which is not specifically sanctioned by law, shall be guilty of a misdemeanor."

Colorado: "It shall be unlawful to hire or bring into the state to perform labor, any person convicted of crimes or misdemeanors of any description whatsoever in any state or territory of the United States under penalty hereinafter provided: Provided: That nothing in this act shall be construed to apply to ex-convicts. It shall be unlawful to knowingly bring into the state or cause to be brought into the state any material for use in the erection of, or repairing of, any public building, the labor in preparing which or any part of which has been performed by convicts. All goods, wares, or merchandise made or partly made by convict labor in any penitentiary, prison, or reformatory or other establishments shall, before being exposed for sale, be branded, labeled, or marked as hereinafter provided, and shall not be exposed for sale in any place within this state without such brand, label, or mark."

Connecticut: "No person anywhere confined for crime shall be employed in or about the manufacture or preparation of tobacco or of any article which in its use comes into contact with the mouth of a human being."

Florida: "Prisoners sentenced to the punishment of hard labor shall be constantly employed for the benefit of the state, but no prisoner shall be compelled to labor more than ten hours a day, and all prisoners, except such as may be on the disabled list or in solitary confinement, shall labor not less than eight or more hours a day. Such contractor or contractors shall have full and complete power to control and discipline such prisoners and to maintain order among and enforce obedience from the same, and to suppress insurrection, prevent escapes, and compel the performance of labor, and to punish the prisoners for any violation of discipline, but no cruel or inhuman punishment shall be inflicted upon any prisoner, nor any punishment injurious to mind or body.

Louisiana: "It shall be unlawful for any corporation, merchant, or other person to deal in or sell brooms, made in the different state penitentiaries, by convicts or other persons confined therein, unless each broom is stamped or labeled 'convict-made;' said label or stamp to be not less than four inches long, two and a half inches wide, and the letters thereof not less than one inch in size. Any person violating the provisions of this act shall, on conviction thereof, be fined not less than fifty dollars, or be imprisoned in the parish jail, for not less than thirty days, for each offense, at the discretion of the court."

MAINE: "All articles and goods manufactured at the prison for sale shall be distinctly labeled or branded with these words 'Manufactured at the Maine State Prison.'"

MASSACHUSETTS: "The prison commissioners and the warden shall determine the industries which shall be established and maintained in the respective institutions which are under the control of said officers. The prisoners in said institutions shall be employed in said industries under regulations which shall be established by the prison commissioners, but no contract shall be made for the labor of prisoners, except that, with the approval of the prison commissioners, prisoners may be employed in cane seating and the manufacture of umbrellas under the 'piece-price system,' so called. The prison commissioners shall, as far as possible, cause such articles and materials as are used in the public institutions of the Commonwealth and of the several counties to be produced by the labor of prisoners. They shall endeavor to establish in said state reformatory such industries as, within the provisions of this chapter, will enable prisoners employed therein to learn valuable trades. The number of prisoners in all the institutions who may be employed in the industries hereinafter named shall be limited as follows: In the manufacture of brushes, not more than eighty; in the manufacture of cane chairs with wood frames, not more than three hundred and seventy-five; in the manufacture of harnesses, not more than fifty; in the manufacture of mats, not more than twenty; in the manufacture of rattan chairs, not more than seventy-five; in the manufacture of rush chairs, not more than seventy-five; in the manufacture of shirts, not more than eighty, and they shall be women; in the manufacture of shoes, not more than one hundred and twenty-five; in the manufacture of shoe heels, not more than twenty; in the manufacture of trunks, not more than twenty; in stonecutting, not more than one hundred and fifty; in laundry work, not more than one hundred. Not more than thirty per cent of the number of inmates of any penal institution which has more than one hundred inmates shall be employed in any one industry, except cane seating and the manufacture of umbrellas. Goods which have been manufactured in any of the institutions shall be sold by the warden, superintendent, master, or keeper thereof at not less than the wholesale market price which prevails at the time of sale for goods of the same description and quality; but this provision shall not apply to goods furnished to public institutions for the use of the inmates thereof. The proceeds of such sales shall be paid by the purchaser to the respective institutions from which the goods are delivered. The governor and council may purchase or otherwise take in fee any parcel of waste or unused land, not exceeding one thousand acres in area, for the purpose of reclaiming, improving, and disposing of it for the benefit of the Commonwealth. After such land has been so taken, the prison commissioners shall cause iron buildings of cheap construction to be erected thereon for the accommodation of not more than one hundred prisoners. When such buildings are ready for occupancy, the governor may issue his proclamation establishing on such land a temporary industrial camp for prisoners, and the prison commissioner may appoint a superintendent thereof, who shall have the custody of all prisoners removed thereto. Land reclaimed or improved, as aforesaid, may be applied to the use of the Commonwealth, or it may be disposed of by the governor and council at public or private sale. Any road material prepared, as aforesaid, may be sold by the superintendent of said camp, with the approval of the prison commissioners, to the authorities of the Commonwealth or of any county, city, or town."

MINNESOTA: "Every person convicted of crime and committed to the state prison or state reformatory shall be regularly employed at and compelled to perform a reasonable amount of hard labor in some industrial employment; and no person so committed as aforesaid shall be exempt from such labor and employment, unless on account of incapacitating sickness or other disability rendering it impossible that such labor be performed. No contracts for the leasing of the labor of prisoners confined in the state prison, or state reformatory, at a certain rate per diem, giving the contractor full control of the labor of the prisoners, shall hereafter be made, but such prisoners shall be employed by the warden, under rules and regulations to be established in such industries as shall from time to time be fixed upon by said warden and the board of managers or other governing board of said institution. Or in the manufacture of articles by the piece under what is known as the 'piece-price system' by contracts with persons who furnish the materials used in such manufacture. The warden, superintendent, or other chief officer, under the direction of the board of managers or other governing board, shall purchase such tools and implements and machines as he and they shall consider necessary for carrying on said industries."

MISSOURI: "The warden shall use his best endeavors to the end that the expenses of the penitentiary may be paid out of the proceeds of the labor of convicts, when employed in manufacturing or otherwise, on behalf of the state, and shall act under the direction of the inspectors in making contracts for the employment of the labor of the convicts. The warden shall, under the direction of the inspectors, purchase such raw material as may be required for manufacture by convicts, and the other necessary supplies for the prison, and shall have charge of all articles manufactured for the state, and supplies for the prison, and shall sell such manufactured articles in such manner as may be for the best interest of the state. The warden shall, in his discretion, advertise for bids for the unemployed convict labor, under such terms and conditions as he shall deem for the best interests of the state. Such advertisement shall fully set forth the terms, and, as near as may be, the number of such convicts to be employed, and the length of time for which they may be employed. He may renew any contracts for labor within the walls which may be already in existence, without advertising the same. No contract shall be made for a longer period than ten years. All contracts shall be approved by the board of inspectors."

NEW YORK: "The superintendent of state prisons shall direct the classification of prisoners into three classes or grades, as follows: In the first grade shall be included those appearing to be corrigible or less vicious than the others and likely to observe the laws and to maintain themselves by honest industry after their discharge; in the second grade shall be included those appearing to be incorrigible or more vicious, but so competent to work and so reasonably obedient to prison discipline as not seriously to interfere with the productiveness of their labor, or of the labor of those in company with whom they may be employed; in the third grade shall be included those appearing to be incorrigible or so insubordinate or so incompetent otherwise than from temporary ill health as to seriously interfere with the discipline or productiveness of the labor of the prison. The labor of the prisoners of the first grade in each of said prisons, reformatories, and penitentiaries, shall be directed with reference to fitting the prisoner to maintain himself by honest industry after his discharge from imprisonment, as the primary or sole object of such labor, and such prisoners of the first grade may be so employed at hard labor for industrial training and instruction solely, even though

Tin Shop, Sing Sing Prison, New York

no useful or salable products result from their labor, but only in case such industrial training or instruction can be more effectively given in such manner. Otherwise, and so far as is consistent with the primary object of the labor of prisoners of the first grade as aforesaid, the labor of such prisoners shall be so directed as to produce the greatest amount of useful products, articles and supplies needed and used in the said institutions, and in the buildings and offices of the state, or those of any political division thereof, or in any public institution owned and managed and controlled by the state or any political division thereof, or said labor may be for the state, or any political division thereof. The labor of prisoners of the second grade in said prisons, reformatories, and penitentiaries shall be directed primarily to labor for the state or any political division thereof, or to the production and manufacture of useful articles and supplies for said institutions, or for any public institution owned or managed and controlled by the state, or any political division thereof. The labor of prisoners of the third grade shall be directed to such exercise as shall tend to the preservation of health, or they shall be employed in labor for the state, or a political division thereof, or in the manufacture of such useful articles and supplies as are needed and used in the said institutions, and in the public institutions owned or managed and controlled by the state, or any political division thereof. All convicts sentenced to state prisons, reformatories, and penitentiaries in the state, shall be employed for the state, or political divisions thereof, or for the use of public institutions owned or managed and controlled by the state, or the political divisions thereof, which shall be under rules and regulations for the distribution and diversification thereof, to be established by the state commission of prisons."

PENNSYLVANIA: "All goods made by convict labor, in any penitentiary, reformatory prison, school or other establishment in which convict labor is employed, immediately upon the completion of the same, shall be branded as hereinafter provided, and shall not be taken into or exposed in any place for sale, at wholesale or retail, without such brand. The brand herein required shall be in plain English lettering, and shall contain at the head or top of said brand the words 'convict-made,' followed by the year and name of the penitentiary, reformatory prison, school, or other establishment in which made. The brand aforesaid shall, in all cases, when the nature of the article will permit, be placed upon the same, and only where such branding is not possible, it shall or may be placed on the box or other receptacle or covering in which it is contained. And the same shall be done by casting, burning, pressing, or other such process or means as that the same may not be defaced; and in all cases shall be upon the most conspicuous place upon such article or the box, receptacle, or covering containing the same: PROVIDED: That goods, wares, and merchandise shipped to points outside of the state shall not be so branded. It shall be the duty of the manager of any penitentiary, reformatory prison, school, or other establishment within this Commonwealth, wherein convict labor is employed, to see that the brand herein required shall be so placed as aforesaid, before such goods, wares, merchandise, or other article or thing shall be removed or taken from the place where made; and upon failure or neglect so to do, such manager shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, or undergo an imprisonment not exceeding one year, or either or both, at the discretion of the court. It shall not be lawful for any person dealing in any such convict-made goods to have in his possession, or offer for sale any such convict-made goods, wares, merchandise, or other article manufactured by convict labor in Pennsylvania, or any state, without the brand provided by this act. And in all cases where the brand aforesaid is upon the box, receptacle, or other covering in which such goods is contained, it shall not be lawful for any such person retailing to remove the same from such box, receptacle, or other covering except as he shall retail the same to a customer. And any person knowingly and wilfully offending against this section shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, or undergo an imprisonment not exceeding six months, or both or either, at the discretion of the court. From and after the passage of this act no warden, superintendent, or other officer of any state prison, penitentiary, or state reformatory, having control of the employment of the inmates of said institutions, shall employ more than five per centum of the whole number of inmates of said institutions in the manufacture of any other kind of goods, wares, articles, or things that are manufactured elsewhere in the state, except mats and matting, in the manufacture of which twenty per centum of the whole number of inmates may be employed. No machine operated by steam, electricity, hydraulic force, compressed air, or other power, except machines operated by hand or foot power, shall be used in any of the said (state and county) institutions in the manufacture of any goods, wares, articles, or things that are manufactured elsewhere in the state."

SOUTH CAROLINA: "The superintendent and directors of the state penitentiary are hereby authorized and required to hire out to such of the several counties of this state, as may desire them, all able-bodied male convicts to hard labor in said institution to work on the public highways or the sanitary drainage in said counties as can be spared from the state farms, and departments connected with the state penitentiary, and the convicts sentenced to hard labor in the state penitentiary shall not be hired out for farming purpose, and when hired out to the counties as aforesaid, the compensation for their services shall be at the rate of four dollars per month, with board, lodging, clothing, and medical attendance."

TEXAS: "The penitentiary board are hereby authorized to purchase and equip, with the consent of the governor, agricultural lands or improved farms, to be by them selected with a view to productiveness of soil and accessibility to railroads, for the purpose of establishing thereon state farms, and employing thereon convict labor on state account.

"Convicts sentenced to hard labor shall be kept at work, under such rules and regulations as may be adopted; but no labor shall be required of any convict on Sunday, except such as is absolutely necessary, and no greater amount of labor shall be required of any convict than a due regard for his physical health and strength may render proper; nor shall any convict be placed at such labor as the penitentiary physician may pronounce him physically unable to perform. County convicts shall be put to labor upon the public roads, bridges or other public works of the county, when their labor cannot be utilized in the county workhouse or farm, and they shall be required to labor not less than eight nor more than ten hours each day, Sundays excepted. When a convict refuses to labor, or is otherwise refractory or insubordinate, he may be punished by solitary confinement on bread and water, or in such other manner as the commissioners' court may direct."

VIRGINIA: "The convicts shall be kept to the hardest labor suitable to their sex and fitness, and such of them as need it, instructed in some mechanic art. The superintendent shall at the discretion and under the direction of the governor employ them at Richmond or elsewhere in the state in improving, repairing, or working on the public buildings, grounds, and property, or executing work under contract with individuals or companies or in cultivating grounds for the use of the penitentiary. He shall have authority to furnish to the Hollywood and Oakwood Memorial Associations, from time to time, as may be necessary, a sufficient force of convict labor to keep in order the graves and sections wherein are buried the Confederate soldiers of the army and Northern Virginia in said cemeteries."

XI

EDUCATIONAL WORK IN PRISONS

1. THE PRISON SCHOOL*

By CHARLES RICHMOND HENDERSON

GRADES OF PREVENTIVE AND CORRECTIONAL INSTITUTIONS

IN the United States one may observe the gradual or even rapid development and specialization of schools for very young persons of different classes. These are described elsewhere by Dr. H. H. Hart.† It was found that some children in the public schools required a particular kind of treatment and separation from other children. Out of this discovery grew in certain cities what was called the "ungraded classes," where the difficult children were subjected to a special régime until they were prepared to return to the ordinary class work. Then "parental schools" were developed in several cities, and truant and disorderly children were sent to them, as to a kind of boarding school, to give them the special training needed until they could follow the ordinary courses in the public schools. Aside from these municipal enterprises the more advanced states have developed reform schools or "industrial schools" for young persons in early and middle adolescence. Sometimes these schools are controlled by philanthropic corporations, with more or less assistance from the state funds; but the tendency is to establish state schools directly.

The example of the Elmira Reformatory has been followed by the establishment of kindred institutions, which are elsewhere described. In all the correctional institutions mentioned for children and youth the school takes a large place in the system of administration; indeed, they are all essentially schools and the directors are first of all, teachers.

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* This article is designed to present a general view of the situation in the prisons of the United States, with certain conclusions. Some valuable material on the subject may be found in other articles in this volume, as well as in the other volumes of the series. The treatment of schools for juveniles, for instance, may be found in Dr. Hart's contribution in the volume entitled, Preventive Treatment of Neglected Children, and information in regard to certain prisons and reformatories may be found in the articles by Mrs. Barrows, Mr. Scott, Mr. Leonard and Mr. Pettigrove in this volume.

The account of prison schools in the article by Mr. Pettigrove in this volume, is based on a collection of institution reports, on letters from wardens and chaplains, and on the wide first-hand knowledge of the distinguished and competent President of the Massachusetts Prison Commission. Therefore it is unnecessary to duplicate ihs descriptions of the facts.

† Preventive Treatment of Neglected Children, of this series.

When we come to prisons of the old type, and state institutions for the punishment of ordinary convicts, the educational factor naturally retires into a subordinate position. Indeed, until within a comparatively recent time the educational element was almost uniformly neglected. The managers of institutions for adults were chosen without reference to their knowledge or experience as educators. If there was a school at all it was rarely made effective under the direction of trained teachers. Indeed, the tradition of the old methods still is a serious obstacle in the way of improvement.

Omitting for obvious reasons the educational work for children and youth, we limit attention in this part of the discussion entirely to educational work in state prisons, that is to say, in institutions where it is generally supposed the inmates are too old to benefit by educational helps. But in a multitude of cases this common belief is without foundation. The statistics of age groups even in the state penitentiaries show a very large number of comparatively young men under the age of thirty, who are therefore to a considerable degree amenable to educational processes. The statistics of illiteracy also show that there is a vast amount of ignorance which needs correction by rather elementary methods of instruction.

Of the 149,691 prisoners committed during 1904, the age of 5,094 was not stated. For both sexes the number of prisoners reaches its maximum in the age group twenty to twenty-four years. Nearly one-half (48.1 per cent) of all prisoners committed were between twenty and thirty-four years of age; and if those in the age period thirty-five to thirty-nine years, be added, 60.2 per cent of the prisoners will be found to have been between twenty and thirty-nine years of age at the time of commitment. Of the major offenders, 65.5 per cent were under thirty years of age at the time of commitment, as compared with only 40 per cent of the minor offenders.

Among the Negro prisoners 31.4 were illiterate, as compared with 8.7 per cent among the white. These figures are not very significant, because "literacy" is frequently consistent with a very low degree of knowledge and mental training; but even as they stand the figures reveal a large demand for elementary instruction in prisons.*

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* See Prisoners and Juvenile Delinquents in Institutions, 1904. Special Report, Bureau of Census, 1907.

Perhaps it is due to the absence of vital connection between the teaching profession and the prison management that administrators have so often failed to see that the prison, so far as it is reformatory in purpose, is essentially a school, and that the scientific principles of education must be the basis of all effective efforts on behalf of prisoners. Too generally other conceptions have dominated the administration. So far as men were under control of the idea that the process of punishment means retribution or deterrence, "breaking down the will," they naturally aimed to turn the prison into a place of torture, of humiliation, of dread, of mechanical and external restraint. The logical result of this conception was to direct the entire process to crush the man. Stripes, lock-step, dark cells, unfit food, and above all, stern and sometimes brutal treatment, were the proper expression of this aim.

Where the "business" purpose is dominant, and the prison is judged by its balance sheet, the administration is controlled by economic considerations, by output, saving of expenses, sale of products. Here two ideas come to control,—labor in prison and a large exhibit on the credit side of the ledger.

Unquestionably the prison must be a place of stern discipline and convicts must be kept from escape,—deprivation of liberty being of the essence of prison punishment. Just as certainly prisoners must be kept at useful and productive labor, and the managers must know how to buy materials in the cheapest market, make economic use of materials necessary for consumption, prevent waste, and dispose of the surplus products in a way on the whole most profitable to the commonwealth. All this is commonplace and needs no argument.

What has been pushed too far into the background is the fact that the chief and essential aim of the prison is to educate or re-educate men, and that success or failure is determined by the success or failure of the educational process in the prison.

It may be that some of the inmates are uneducable, hopeless, incorrigible, destined to remain fixed in anti-social habits; if so the prison must still keep them under restraint and protect the community from their depredations. But who knows criminals well enough to select this minority of the desperate, brand them in the forehead as beyond change, and exclude them deliberately from even a chance to try? Who so daring and so vain in conceit of his insight into character that he will write down the doom of any considerable group of sane men in advance of a fair trial? Would it not be vastly wiser to permit the convicts to make their own record, to demonstrate their own incapacity by offering them in fairest faith all the opportunities of education?

But what is meant here by "education"? Book knowledge? Only in part, and the minor part. First of all, useful and productive work must be treated as a vital element in the process of reformation and must therefore be selected and directed upon educational principles and not for mere momentary economic advantage. The permanent and largest economic interest of the nation lies not in the direct material product and its sale but in the prolonged skill and industry of useful citizens. There is not an act of officers or convicts, from dawn to dawn again, but should be under the direction of this educational purpose. There is nothing so revolutionary, so radical, so full of promise, so rationally imperative as this demand to make the prison itself a school.

Some have compared the prison to a hospital where men sick of the disease called crime are to be cured; and there is some truth in the comparison. But crime is not disease,—it is just crime; though we admit that bodily disorders affect moral conduct and must be treated. The physician is an essential factor in a prison because health is necessary to personal development, but the physician's best work is as an educator, not as a veterinarian, and no prison physician has come in sight of the true value and dignity of his professional service until he sees all in this light.

While, therefore, the facts about prison and reform schools are elsewhere discussed we must attempt here an interpretation and a judgment of these facts which may lead to future development of the good beginnings already made. That the prison commissioner of our richest and most powerful state has called in counsel the highest educational authority of the Union to assist in developing the prison schools of his state is a fact full of good sense and promise. The alliance between wardens and the public school system should be close, vital, continuous, and it will be fruitful.

PURPOSES OF THE PRISON SCHOOL

(1) So far as any clear theory of the matter has been thought out in this country the classes for instruction are regarded chiefly as a means of filling the gaps in elementary instruction. It is evident to all who have really thought on the subject that an illiterate prisoner will be at a distinct disadvantage in any calling which he may try to follow if he cannot read, write and keep at least simple accounts.

Provision is made in a number of penitentiaries for teaching these rudiments.

(2) The problem presents another factor of importance when we consider that many of our prisoners in state institutions are immigrants, and that much of their trouble is caused or aggravated by their ignorance of our language. It is, therefore, evident that they should receive help from school instruction at least enough to make them more at home in a strange country.

(3) Another purpose of the prison school, which has received some attention, is the desirability of informing the men in relation to the customs, laws and institutions of the country so that they may not commit offenses ignorantly. There is a good deal of evidence that many young men go astray largely because they do not know the right path and they need information to guide them.

(4) Education, as is now fairly well recognized, includes the development of the ability to produce useful articles for sale and the acquisition of a habit of steady industry. Skill and industrious habit are two essential factors in an independent and honest life, and without them crime is almost a necessity and is certainly inevitable.

(5) The definition of education in our day includes physical development, the increase of energy and health. It is seen that many men have been deformed by their occupation, weakened by their vices, and unfitted for their tasks because they have not adequate strength. The modern teacher knows the value of physical soundness and power in relation to the development of intelligence and will. The character of the prison population makes this factor of modern education essential.

(6) The interests of habitual offenders are few and low, and if they are to be lifted above the daily and unworthy level of the criminal class, new, varied and higher interests must somehow be awakened in them; they must be brought into the enjoyment of a higher life and be made to pursue higher satisfactions. The convict has not lost his right as a man to share in the highest goods of civilization,—art, science, religion. It is to the interest of society that every convict, when he returns to a condition of freedom, shall consort with persons who have taste for the best things of life; and the prison school may fit men for such associations.

Occasionally objections are urged, such as the following:

It is sometimes said that the prisoners in state prison are already fixed unchangeably in their ways, and that they are too old to profit by school instruction.

The answer to this objection is at hand: many of the prisoners are still under thirty years of age, and it would be false to fact to claim that they cannot be helped by good teaching. Furthermore, many prisoners who have dropped their studies in the irregular life of vice and crime can have forgotten interest in study kindled anew by tactful and skilful teachers.

Again, school methods, it is said, are not suited to adults. Grown men are unwilling to go back and sit in rows on benches under the direction of a schoolmaster.

This objection has some weight when it is made in respect to a false and tactless method. The fact is that many prisoners, even adults, are both willing and anxious to learn in classes and they should be gratified, especially as the discipline of the institution is greatly helped by such work. Where the ordinary school method is not adapted to grown men other methods can easily be devised by a competent teacher.

METHODS OF THE PRISON SCHOOL*

Streng says: "The instruction of adult prisoners has little in common with the rigid plan of teaching of the public school and should adapt itself to the individuality of pupils for whom a regular and graded method of instruction is not appropriate. The form of instruction with adult prisoners, who have already a good school education, must be adapted to their peculiar needs. The mere repetition of things learned in the public school is in this case insufficient. The teacher must go beyond the program of the publicschool, select his own material of instruction, partly according to his own choice, and always with reference to the mental stimulation ofthe pupil."

It must be remembered that a prison in the United States is almost always built on the Auburn plan, that is to say, the men are together at work, at church and elsewhere, and are kept apart only at night in the sleeping cells. Therefore, there is no difficulty in the way of class instruction where this seems to be called for. Streng, in his article in von Holtzendorff and Jagemann's Handbuch, says:† "The bad consequences of unnatural separation which contradicts the social nature of man will be avoided most easily by good school instruction. The necessary spiritual incitement in the loneliness of the cell furnishes the inmate points of contact, and even in the most reticent prisoner confidence and frankness are awakened with an officer who knows how to overcome the worst enemy of the prisoner —mental tediousness." As we do not have in our prisons the "unnatural separation which contradicts the social nature of man," we do not need school instruction for this purpose, but we do ask for it on the ground that even in our congregate prisons a substitute should be found for the demoralizing contacts which are inevitable in our system in spite of the rule of silence, which is imperfectly obeyed.

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* Some of the following paragraphs were first prepared, on the basis of an analysis of Behringer, G.: Die Gefängnisschule, 1901. For a paper read before the National (American) Prison Association at the meeting in Louisville, in 1903, and published in the Proceedings of that year, p. 107 ff.

† Streng, A.: Article in F. von Holtzendorff und Eugen von Jagemann, Handbuch des Gefängnisswesens, Vol. II, p. 151–163.

Among the educational factors in the system of reformatory agencies in the well equipped reformatory prison are these: First in order, as in importance, is the personal influence of the corps of officers, every man of whom is led by a warden whose character was described in the presidential address before the National (American) Prison Association in 1902. The warden impresses his character upon those who are associated with him in the personnel of his staff. The second educational influence is the productive and instructive industry of the prison. If there is a true educator in control of the shops the industry itself becomes a school of drawing, reading, writing and mathematics. The best mental discipline is often given altogether without books where a real teacher is closely connected with the industries. Of course, where the work is carried on in a blind and monotonous fashion the educational influence is minimized. The third educational factor is the system of repressive and rewarding disciplinary measures; the appeal to men's fears, and the appeals to hope and aspiration. Both of these are essential. Fourthly, we have the direct and conscious educational agencies. These are three: first, the library, and, of course, the personality of the librarian; second, the chaplain and the religious service organized and conducted by him and supported by the moral influence of the other officers; third, the prison school, an agency which as yet is apparently little developed in the prisons for adults in the United States.

The plea here is for the enlargement of this third educational factor in the prison, whether it is for youth or for older men. The process of education, the acquirement of information and the development of character should never stop. There is a marked difference between the work of the school teacher and that of the chaplain, although they have a common purpose. The preaching and the teaching function have marked and different characteristics. A man who is well qualified for one is not, necessarily, well qualified for the other.

METHODS OF THE PRISON SCHOOL OF CHARACTER

The school of character is distinguished from the ordinary school, the literary school, whose function is more largely to instruct in the rudiments or instruments of knowledge. Of course where convicts do not know how to read and write the prison provides means for learning these things.

The function of the school of character is to awaken and direct the moral nature. It works along with the religious agencies which are essentially connected with it, but by a different process.

This school of character as a specialized agency of the prison is necessary because many prisoners have not practiced moral discrimination. The power to see instantly the difference between right and wrong is with them very little developed.

It is needed because these men have not seen the range of the consequences of their acts. They do things which seem perfectly irrational to us partly because of their short-sighted view. The difference between a morally developed character and one that is immoral is largely at this point, that one sees the social results, however remote, and the other does not. They lack social sympathies, imagination of the rights of others.

What are the fundamental principles of the methods of such a school?

The first principle is that a man must be taught to know what he ought to will. He cannot rightly will unless he knows what right conduct is. No one inherits that knowledge. The son of a Jonathan Edwards knows absolutely nothing about morality by inheritance. He has it all to learn. He may inherit ethical capacity, but he cannot inherit a knowledge of right and wrong. He has the capacity to learn it, as he may have the capacity for music or mathematics, but no one inherits a knowledge of truth in regard to moral relations any more than he inherits skill in music. A man wills only what he knows. Many criminals are really ignorant of what they ought to do and of the relation of certain kinds of conduct to the general welfare. They have never had a chance to learn. They have never been taught what the right is. They have never learned the serious consequences of deceit, theft, sexual sins, and drunkenness, on themselves, their children and the community. At Fresnes, a prison near Paris, they have found that men have been dissuaded from the use of intoxicating liquors in a large degree by the addresses of trained physicians, and illustrated lectures, showing the effect of alcohol on the system and the results of drunkenness on a man's body and mind.

The second principle is that ideas of right disposition and conduct which are clearly, vividly, persistently and agreeably, with great variety, kept before the mind tend to take possession of thought and to pass on into emotion and action. In order to induce a man to do a worthy action, we must take possession of his imagination, his thoughts. As an insane person may become insane by an obsession, by thinking on one thing to the exclusion of others, so a man may be helped to come into the right by constantly thinking about it. The thought tends to pass into action and the action into habit, and the habit into character.

It is a fundamental principle that self-activity in moral problems, through discussion and conversation, helps to make moral ideas one's own. Men must not sit passively before the preacher and let him pour truth into them while they remain mere listeners. Only when he feels that the ideas are his own will they have an influence upon him.

Mr. Behringer has given a number of topics suitable for discussion in prison schools, such as work and idleness, conscientiousness in duty, blessings of social order, thrift, riches, poverty, avarice, prodigality, domestic virtues and happiness, the saloon, rest and pleasure, gambling, enjoyment of nature and art, selfishness and public spirit, contentment and really good fortune, pauperism and its causes, temperance and drink evils, society and friendship, fashion, custom, morality, politeness, etiquette, respectability, good and bad temper, truth and lies, honor, habit, passion, anger, the value of time, force and weakness, purpose in life, duties of callings, social position, conscience, fear of God, trust in God, Sunday rest, the use of leisure, the wonders of creation, patriotism and what the country does for all citizens, blessings of human society, care of the state for property, health, security, honor, culture, welfare of citizens, rights of citizens, freedom, license, law, duties of citizens, functions of the government (local and general), military duty, love, establishment of a family, education of children.

After bringing these topics before the young men they are encouraged to discuss them and to write upon them. Our Nestor in prison reform has already, quite apart from any experience abroad, undertaken this method and under Mr. Brockway it was used very successfully. Other directors have made good use of the method. If the pastors of our churches had had experience in that direction and could get their young men into a class and let them talk back at the preacher they would get the truth much deeper into their minds. I am not a Presbyterian, but I say, though I cannot accept it all, that the Larger Catechism is iron, and that is a good thing to get into the blood. It has a wide program organized by some of the most powerful intellects of the race. It has topics that will last a teacher two or three years. But the topics for discussion must be stated in concrete forms, as practical questions to be decided, as some proposition to action, conduct or legislation.

These are some of the pedagogical principles upon which such a school should be based. The difficulty is often raised that the prison population is heterogeneous, and the question is asked: Are there any principles that will apply to all these different elements?

Devices must be adapted to the population of the prison. What are the characteristics and peculiar conditions of the prison population?

There are, first, many grades of intelligence. That you will find everywhere, but it is essential to take into account that the differences of intelligence are so great that a sermon which appeals to certain universal conditions needs to be supplemented by that which is individual, and that that is peculiarly true for men whose moral sense is obtuse.

Again, they are of various ages and stages of spiritual development. That is true of all large bodies of men. We must see not only that we have a graded school but that men of the same types are brought together.

Once more, the population differs from a school or college because it is not steady, but is constantly changing. This is a peculiarity of a prison school. You cannot have a regular course of instruction. Every lesson is determined by the character of the population. Each lesson must be a unit in itself. You may have your system and may connect the different lessons, but at one lesson you may have men that you will never get together again. This is not so true of the penitentiaries as of the short term prisons, but it is true in a degree everywhere. This peculiarity calls for special adaptation of the system. I have said that each lesson must be complete in itself, but all may be connected by reviews, and it is desirable to use all of the pedagogical devices possible. Thus there may be the monologue. To start with, there must be a short discussion of the subject, to get the definitions before their minds, with illustrations. The didactic method is one which must be used sparingly. Then the dialogue method should be used. Persons must not be asked questions the answers to which have been learned and which they can answer without effort. The discussions of which I have spoken are essential parts of the method. Pupils must react on the thought and give and take if we are to get the best results.

We must have examinations if we want to know whether we have taught anything. That is as true of the prisoner as of any other student. It may be given back by them in their own slang; but if they know it they can somehow express it. Perhaps one need not set an examination. Let them talk freely about the subject and we shall find out indirectly how much they know and how much more they need to be taught. Examinations are as necessary for the teacher as for the students, but they need not be announced as such or become formal. We need not call it an examination, but a "survey" or "review."

Interest should depend on arousing the desire to know and to grow. I do not believe in prizes anywhere and I do not believe in prizes in a prison school. The teacher is a failure if he cannot make people feel that when they have got a thought from him they have got something better than any prize. Their interest is reward, and their intelligent interest in what he has to teach is the reward of the teacher. Rewards might possibly be given privately, but not to set one man in comparison with another. A man with an immoral character may recite much better than a man who has a much better character. It should be remembered that this is a character school, not merely a literary school. The men have usually acquired the elements of knowledge in the public schools. The business of the teacher is to utilize that knowledge and make it live, so that the man may have what he needs most of all, character.

As to the qualifications of the teacher. We have talked about the qualifications of the warden and of the chaplain; now what are the qualifications of a teacher for the school of character in a modern prison? First, he must have native gifts and we cannot teach those in a university. We cannot buy them for the student and we cannot buy them for the teacher.

The teacher for the prison school must first of all be a healthy man, having a good digestion,—a man with vigor and vitality. He must be a man of enthusiasm, a cheerful man, a man of force. He must be able to govern himself. He must be communicative, and he must have the saving salt of humor, not sarcastic wit. When the tension is so great that he thinks he cannot endure it, a little touch of humor is a very great help. For a teacher it is absolutely necessary to see the humorous side of life. None of us admire Falstaff, but the man who does not have a certain sort of sympathy with Falstaff lacks something of what a perfect character ought to have. The men in prison are discouraged. They need no more cynicism. The world has given them enough of that. What they need is geniality, humor, overflowing, bubbling, the humor of a Lincoln, one of the most serious men that our civilization has ever produced. The chaplains need that too, though they are generally pretty good story-tellers.

Another qualification is necessary—professional preparation in psychology, ethics, sociology, pedagogy, with experience in teaching and acquaintance with literature and history. The teacher must be of a suitable age and experience in life, not too young.

The third qualification is spiritual insight and faith in God. I am not pleading for a creed. I am pleading for insight into the universal. The man who is dealing with hardened characters must be in touch with the invisible or he will go down. He cannot do such work year after year without this faith in the invisible. He must see in the man what that man himself does not see. He must believe in a power that is working in that bad man of which the man has never been conscious. He must believe that the man is a child of God and not of the devil, and that God is at work today, not gone on a journey, not asleep, but a living God that helps him to learn, and to apply his knowledge. The man who has not this equipment, this insight into the invisible world is not fit to be a prison teacher.

Finally, when the teacher has had a thorough academic training, with all these qualifications, native and acquired, and this insight, then let this man look at the work as his life work, not as a stepping stone to something higher or better; for there is nothing more necessary or more rewarding, because it is the hardest thing and calls for the highest qualities of character. It ought to call out the heroic element of the best teachers that we can gather in our schools, so that they may go into the darkest and hardest places and fill them with knowledge and light and truth. What is a university good for if it does not take its brightest sons and daughters to send out into the hardest places? The methods of social science, a new ethics, a new attitude toward the religious life, the profoundest convictions in regard to it, and a larger spirit of humanity, these prevail in the modern university as they did not in ancient times, and the word university is improperly used until it includes all men and takes them into its heart, doing all that it can for the betterment of man's estate and through that for the glory of God.

ESSENTIAL CONDITION OF SUCCESSFUL SCHOOL WORK IS THE TEACHER

Prisoners are frequently employed in the United States for instruction not only in the elementary branches of knowledge, but even in religious instruction in the Bible schools. It is claimed by some very intelligent wardens and others that this plan presents no objections and has decided advantages. It is claimed that the plan is economical, as salaries do not have to be paid to convicts. Further, it is urged that where a prisoner has exceptional ability and talent he is himself educated in his effort to communicate his knowledge to his fellow prisoners. Apparently, however, the greatest stress is laid upon the economic motive, but this will not bear serious discussion. If the plan is good in itself it should be commended on that ground, but if it is harmful in its nature and tendencies it should not be retained because it would save a petty sum out of the treasury of a rich commonwealth. The work of education being the highest work done at all, ought to have the highest talents and qualifications devoted to its activities. The objections urged by European writers to the employment of prisoners as teachers are at least deserving of serious thought in our country. First, the prisoner is rarely a trained instructor; comparatively few teachers fall into vice and crime and require incarceration; second, no prisoner should be put in a social position over another in the prison, because this act will affect discipline and excite discontent; third, the social position of an instructor is even superior to that of some of the officers or free employes of a prison and it is not becoming in itself nor helpful to general discipline to place a prisoner above a representative of the authority and order of the institution. But the chief objection to the employment of prisoners as teachers is that education is vastly more than mere instruction; that the educator teaches more by his good example, his character and his personal qualities than by any device of pedagogy. The teacher should inspire the moral confidence of the prisoners and this is true not only where he is interpreting history, literature and law, but even where he is giving elementary instruction.

Of the chaplain as a teacher, it is sometimes urged in this country that the chaplain represents the teaching factor and that it is unnecessary to employ a professional instructor, especially in the prison for adults. No one esteems more highly than the writer the functions and usefulness of the prison chaplain, but preaching is not teaching, and the care of souls is not instruction. The chaplain in America rarely has professional training in a normal school, and this is absolutely essential to the best work of instruction in the prison school as in any other. Indeed, the difficult material which is offered in a prison of adults calls for the most profound knowledge of psychology, the history of education, and the principles and methods of teaching. The duty of the chaplain is chiefly that of an inspirer and counsellor, and that is all that should be expected of him. If he prepares his sermons carefully, and acts as the personal philosopher and friend of every prisoner his time and strength will be fully taxed. He should not be asked to conduct a school.

In some institutions an officer called a moral instructor is appointed to do at least part of the work of a teacher. In some instances this officer has been a well-trained teacher, and the results have proved to be excellent. In other cases the moral instructor is simply a chaplain under another title, and from several points of view this arrangement is objectionable.

The best method of all is followed where a regular teacher with full knowledge and normal school instruction is employed and gives his whole time and strength to this work. The absence of professional teachers in the prisons is partly accounted for by the fact that such preparation is not universally demanded in this country even for the public schools. It is true that in the better industrial and reform schools for youth and children the higher standards are gradually being required, but the prisons have been cut off in great measure from this influence.

It is useless to enter here upon details of courses of study and devices of instruction. Once let the administration admit the principle that the prison is first, last and all the time, essentially a school, and let a competent educator be placed in charge of the prisoners and he will know what to do, what books to select, what courses and topics of study to introduce, what apparatus to use, what plans to follow.

The assignment of students to particular groups and classes of prisoners may be made by the teacher in consultation with the chaplain.

Fortunately, it is not necessary to produce text-books specially for our prisons. There is already a full supply of excellent books both in the elementary subjects and in history, science and literature, for all practical purposes, published by the great publishing firms of the country. From this it is not difficult for a competent teacher to make a good selection for his purposes.

2. EDUCATION BEHIND THE WALLS

By REV. WILLIAM J. BATT

Chaplain Massachusetts Reformatory

It is of little use to punish criminals by restraint unless you reform them by education.—Pope Clement XI.

Education must have a large development in a penitentiary system designed to be reformatory in its action upon prisoners. Its effect is to quicken the intellect, give new ideas, supply food for thought, inspire self-respect, excite honorable ambition, open new fields of exertion, and thus afford a healthful substitute for low and vicious amusements. Need more be said to show its great value in this work? The work of the prison keeper is pre-eminently a work of education in its broad sense of educating, developing, bringing out what is in the man. In pursuing this end he ought to show himself an educator full of wisdom, solicitude and zeal, by giving to each prisoner the special instruction and training of which, according to his condition and character, he stands in the greatest need.—Dr. E. C. Wines.

IN whatever is done for the prisoner it must never be forgotten that he must be fitted to re-enter the everyday life of the community. Whatever is possible to fit him for this experiment in free life should be done. Education in its broadest sense is the best means of strengthening the man for that difficult step. If his bodily powers can be developed and trained so that he will be better fitted for life's labor; if his hand can be trained to a finer skill; if his mind can be made brighter and more efficient; if he can be taught his social obligations, let all these things be done for him. Above all, if he can be taught the inevitable supremacy of natural and moral law and can be imbued with a deeper reverence for divine law, let that be done.

One of the first things for the prisoner to learn is his relation to society, and that what is anti-social in human conduct is a wrong that must be righted. On the other hand society must also learn its relation to these men who have been convicted of being anti-social. The young men in prison are not aliens. They are our sons. They are not to have a future separate from us and our families. On their release they will live with our other sons, and with our daughters. They will be our joy or our sorrow, our pride or our shame, our burden or the stay of our old age. Their destiny is our destiny. Our only hope for them is that they shall be so trained, so educated, that on their release they shall take their places as good sons and citizens.

Formerly the chief aim of the prison was to punish the prisoner; to make him suffer so much that he would be deterred from again committing crime and that others would be deterred by seeing what he had to suffer for his offense. Today the best prison sentiment eliminates revenge entirely from the treatment of crime. The best warden studies how to convert wrong-doers into voluntary right-doers; how the man who has lost his standing in society may be rehabilitated and restored to honor and usefulness in the world.

Of all the experiments in the line of doing this work behind the walls, in America, none has been more bold, more interesting, more elaborate and more successful, than that of the reformatory at Elmira. There this broad scheme of education has been carried out in detail. There has been physical education, the education of the mind, technical training and the culture of character. Other pens have given these details in this series of volumes and one may simply add that one has but to look at the prisoners at Elmira and see their physical bearing, in their work, in their military drill, and in their daily life, to be convinced that they have received a training unlike that of the prisoner in the ordinary penitentiary. The class-room work is most exact. The trades are carefully taught. It is even made a matter of criticism that the young men sent to this reformatory for crime receive, at the hands of the public, a trade education which the sons of the worthy poor are not able to obtain outside. This confirms the assertion that this form of prison education has been tested thoroughly by its fruits. Had the public given such training to the young men before they became offenders they might have been saved from becoming law-breakers.

The effect of the military instruction is also fruitful of good. Besides giving a man physical development it influences his character. How can a man enter into the spirit of it, and perhaps for the first time in his life take part in some important work where he commands men, without having a sense of power developed within him? If a prisoner can win promotion in the ranks and attain a higher position, and maintain himself there, he is enlarged in moral stature.

So far-reaching has been the educational system in Elmira that the term "Collegiate Prison" has been applied to the reformatory by outsiders. But the institution has not resented the name. It has rather tried to live up to the fair implications of the title.

There is, however, a still higher education needed for the man behind the bars: the education of the heart, the soul, the moral nature; an education in manliness, in the religious spirit. This most effective of any education, is entirely practicable in any prison. It need not necessarily bear the name even of a reformatory. It depends upon the officers. When they are devoted, good men, this lesson in manliness, in higher living, is imparted unconsciously. It needs no new buildings, no large appropriations, no new legislation, no long delay. It can be begun at once. Without such officers any formal reformatory work will fall short of the best results, whatever the buildings and appliances, the legislation or the appropriations.

Nearly all prisons recognize the importance of religious services of a sort that appeal to the understanding of the prisoner. In some much freedom is allowed the chaplain. In the state prison in Jackson, Michigan, for instance, the late Dr. Hickox, who was for many years chaplain, was allowed to hold large devotional meetings under his own almost unaided supervision. Prisoners were as rough and unruly and desperate there as elsewhere, but his influence over them was marvellous. Much good we are sure was done by him, and he has left ample testimony of what may be done in a prison by the influence of the religious spirit.

In another prison, as fast as new men come in they are gathered into little companies and addressed in a familiar way, to persuade them, if possible, that the prison is not necessarily a degrading place; that public opinion in the prison will be partly in the hands of the newcomers themselves and that this public opinion can be moulded there as well as outside; that the higher the standard the more comfortable and the happier every prisoner will be.

This sort of appeal usually meets with response. The development of manhood in a prison is oftener than the world realizes accomplished by the personal influence of the warden or the superintendent. There have been some noble examples of such men. Colonel Gardiner Tufts was such a superintendent. One of his sayings was that one must "keep the men sweet and pour in the light." He held that before you can benefit a man he must be in a hospitable mood. If the men are not in that mood they must be brought into it, and he left nothing undone to transform all hostility in the prisoner's heart into a kindlier feeling toward the institution and the officers, as the first step toward reform. He believed that the knowledge of books and of a trade was necessary, but that the one great, radical need was a change of disposition, a new bent, a new life. And this new life must come from some source higher than ourselves. No prison, no school, no gymnasium, no fraternity, no minister, no church, can command this change. But when that change comes to a man, if it does come, it is always through the agency of some human personality. Every prison officer should be such a personality. Yet it is not always the officer who exercises it. Not infrequently a fellow prisoner may be the one whose influence helps to bring a new and better life into some bad man's heart. Life is the strongest influence that can be brought to bear on life. It is the living truth, it is living love, that men feel most. A good warden used to say with earnestness: "By all the means of good at our command we should challenge all the things that are bad in the men under our care." He was a man who always held up to officers and prisoners the highest ideals.

To develop the religious spirit the mere formalities of religion are not enough. Some even may be alienated by formal and dogmatic teaching. But the real religious spirit may often reach where formal religion is opposed, or unwelcome. If it is diffused by officers, it is an irresistible education.

As in the best institutions a study of diet, gymnastics, baths, military drill, help in making over the men physically, and the use of books trains their minds, and the use of tools their hands; so in any prison method must be used in religious culture. It is true that no influence will be more powerful than the influence of personality, but this must be supplemented by certain forms, by beautiful ceremonies, especially those to which the prisoners have in childhood and youth been accustomed and to which tender associations cling. The preaching should be good, the service of worship simple, and always and everywhere there should be the gracious and persuasive spirit of reverence for God and the truest love for our fellow men.

Beyond all this we need the education of the great general public in regard to their duties to the prison, the prisoners, and ex-prisoners, and especially in regard to the prevention of those things which make prisoners. Supposing all these things to be done we may speak of a scheme of education for prisoners.

3. PERIODICALS IN REFORMATORIES AND PRISONS

By ISABEL C. BARROWS

AMERICANS are greatly influenced by periodical literature. Myriads of newspapers and magazines, good, bad, and indifferent, play their part in this sort of education.* When deprived of his liberty the man who has been accustomed to his daily, or his monthly, misses it sorely. In old times this was considered a deserved part of his punishment. Afterward religious reading was allowed in prisons. Still later some prisons permitted the ordinary newspapers to come within the walls, though the better-managed institutions limited them to the county papers. The sensational yellow journals, with their exaggerated delineations of crime, their atrocious stories appealing to scandalmongers, are not allowed in any well-conducted prison. By their harmful influence they help to fill the prisons, but the abnormal taste for such reading is never gratified while men are behind the bars.

However, the people who are always searching for methods of reclaiming those who wander into forbidden paths, long since decided that anything that had such a firm hold on the public as periodical literature ought to be employed as an aid in prison work, and so the idea of a paper printed within the walls was suggested. Once planted, this idea took firm root and it is now well established. The growth has been rather slow on the whole, but it has been normal and the influence has been wholesome. In this sketch of institution papers there is no attempt to give a complete catalogue of those which are printed in penal and reformatory institutions, but to select a few and to give some samples of the material they print.

Every up-to-date reformatory, for juveniles as well as for older offenders, is now supposed to print its own paper. A few of the former are mentioned in the following paragraphs, all of which, with one exception, are wholly for boys.

To take the exceptional instance first, there is one reformatory having a department for girls, which publishes a paper. Our Companion, printed in Cincinnati, Ohio, a monthly with thirty-two pages, is issued for the 120 girls of the Refuge Home, under the charge of Mr. James Allison, as well as for the 300 boys. This magazine is entering its twenty-second year.

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* Rowell's Newspaper Directory estimates that of the 60,000 papers published in the whole world, more than half are in the English language and 21,320, or more than one-third, are published in the United States.

The Ohio reform school, under Mr. F. C. Gerlach, has a paper with an even longer record, the Industrial School Journal, which has begun on its twenty-seventh year. The price of this twenty-page monthly is a dollar a year. The motto is, "We are sowing beside all waters: time and eternity alone can tell what the harvest will be."

The Howard Times, of Rhode Island, is a small paper of six pages which has been in existence for a quarter of a century and is intended for the 325 boys of the Sockanosset School, Mr. E. E. Gardner, superintendent. It is one of the few institution papers that insert advertisements. Another that admits them, of course carefully selected, is the sheet printed in the Pennsylvania juvenile reformatory, or House of Refuge, Mr. F. H. Nibecker, superintendent. This paper, the Glen Mills Daily, has been in existence for six years. There are 764 boys in the school to enjoy it, and the price, a dollar a year, is very cheap for a daily.

The Industrial School Magazine, a monthly entering on its seventeenth year, with between thirty and forty pages of reading matter in the special issue and eighteen pages regularly, is the organ of the State Industrial School, Golden, Colorado, an institution with 220 boys under the charge of Mr. F. L. Paddelford. The motto of the magazine seems to be that of the school: "For the purpose of teaching habits of morality, industry, and obedience." The price is fifty cents a year.

The Indiana Boys' Advocate is a magazine of 32 pages printed by the boys of the Industrial School at Plainfield, Mr. E. E. York, superintendent. The price is seventy-five cents a year. There are 571 boys to read this magazine, which bears the double motto: "For whatsoever a man soweth that shall he also reap," and "It is well to think well: it is divine to act well."

The boys of the Iowa State School at Eldora, under Mr. W. L. Kuser, have a monthly which is entering upon its sixth year. It is called the Industrial School Echo, and it gives fifty pages of good reading to the 503 boys in the school. The superintendent, speaking of it, says:

"The Industrial School Echo is, we feel, a creditable publication. We do not use as expensive material in getting out our paper as do some institutions, but we feel that the subject matter is always good and clean. The cover designs are made by boys of the printing department. All of the typesetting, press feeding, folding, stapling, etc., is done by the boys. I might state that the printing of the magazine is rather a secondary matter, as they earn from $100 to $150 each month by doing printing for our Board of Control and other state institutions which do not have a printing department. We have been printing the annual report for the State Conference of Charities and Correction, a book of some one hundred and ten or twenty pages.

"Every company, every school grade, and every department has its reporter, and in this way we endeavor to teach the boys something of the reporter's work, news gathering, writing an article in an interesting manner, etc. A copy of the magazine is given to each boy, who has the privilege of reading it, and then on the cover placing the address of the person to whom he wishes to send it. The magazines are then taken to the printing office, wrapped, addressed, and sent out to parents of the boys free of charge."

As a rule the papers in juvenile institutions are printed by the boys themselves, the entire mechanical part sometimes being done by lads under fifteen. The editor is usually one of the staff of officers, often the man who is the teacher of typesetting and printing, for the preparation of the school paper is a part of the regular school work, and boys who have thus learned the printer's trade are frequently able to go directly from the reform school into outside offices, where they begin to earn fair wages at once. In several schools of this kind the job printing is also a means of bringing in money, the work being a great credit to the school. Many dainty booklets for Christmas distribution are printed by these boys.

It is difficult to ascertain the expense of printing these papers. In reply to the question the usual answer is, "$40 to $50 a month." One paper is said to cost $900 a year. The lowest was given at $300 annually.

The reading matter for reform school journals is usually selected from other magazines and papers. The Youth's Companion, of Boston, seems to be a never-failing mine for these reformatories. It is a paper that has been read for two generations, and as it is full of good editorials, entertaining stories, anecdotes, and clean jokes it is a safe mine to work, especially as due credit is always given. The institution papers, of course, print much pertaining to their own school, and each grade has its reporter to prepare notes for publication. Most of them print in every issue a roster of officers and teachers, lists of honor boys, new arrivals, and similar information. Naturally they print reports of games, and as the papers exchange with each other there is general knowledge of what the various industrial schools in the country are doing. The public may subscribe to institution papers and there are many such subscribers.

The reformatories for adults were the first to emphasize the high value of an institution paper. Leading in this, as in so many branches of prison reform, Mr. Z. R. Brockway started The Summary in the Elmira Reformatory thirty-eight years ago, and its publication has been uninterrupted. Our Paper, the weekly periodical of the Massachusetts Reformatory, was established twenty-six years ago; The Reformatory Record, of the Pennsylvania Reformatory, twenty-one years since; The Reformatory Reflector, of the Indiana Reformatory at Jeffersonville, twelve years ago; The Reformatory Press, of the Iowa institution, also twelve years ago; The Reformatory Pillar of the Minnesota Reformatory at St. Cloud, seven years ago; The Pioneer, of Pontiac, Illinois, ten years ago; and The Better Citizen, the youngest of all, is just entering its second year at the New Jersey Reformatory at Rahway.

The success of journals printed in reformatories led prison officials to imitate so good a model, and among the papers started by state prisons are the following: The Mirror, of Stillwater, Minnesota, twenty-four years old; The Penitentiary News, of Columbus, Ohio, seventeen years old; The Star of Hope, ten years old, published at Sing Sing, New York; The Monthly Record, of the Connecticut state prison, fourteen years old; The Mentor, of the Massachusetts state prison, six years of age; Lend a Hand, of Oregon, which has begun on its sixth year, and Our Bulletin of the Kansas state prison, a small leaflet issued from the chaplain's office.

In preparing this sketch the writer sent to every state prison in the United States, omitting only those where she knew in advance that no papers were printed. Of one or two southern states she was doubtful, and so sent the list of questions to them. One warden replied that he did not know anything about papers being printed in prisons (an admission which was a tacit acknowledgment that American prison wardens are "made," not trained for their work), but that if there were such papers he should like to know about it, for if they were a good thing, he would like to introduce the innovation. The other warden replied by sending a copy of The Monitor, a monthly of sixteen pages, which had just begun a promising career in the state prison of Texas.

From several of the longest established papers brief histories have been secured. They are interesting as showing how gradually this work has gone on. Fifteen years ago, at one of the sessions of the National Prison Congress in Cincinnati, there was a discussion about prison papers. At that time the idea seemed to be that the editorial work should be done entirely by the inmates, who should also contribute articles for the journal. The paper was to be a means of intellectual training for the men. Said one speaker, "A prison paper should be far more than a reprint of selected matter." That idea has not been followed closely, for most of the papers mentioned copy largely from well-conducted exchanges, to the improvement of the prison periodical. But the chief feature that was advocated at that time has been preserved: the summary of events which keeps the man inside in touch with the world outside. Often these items are given with editorial comment. Stories of crimes are excluded, however, and the convict has no chance of knowing how his old mates, or "pals," are carrying on their nefarious trades.

Some of the other suggestions made at that time have been carefully observed, such as using the paper to announce excellent work done in the prison, the mention of men on the roll of honor, the results of the schools and reports of clean games. The best papers represent the spirit of the institution where they appear. They uphold the warden who is trying to improve his men. They are non-partisan in politics and impartial in matters of religion. They "honor all the commandments, especially the two great commandments, and are clean from beginning to end, courteous and fair, and, like the bread of the prison kitchen, thoroughly wholesome."

This subject of institution papers seemed so important to Dr. Paul Herr, who visited American prisons, that he devotes much space to it in his book entitled Das Moderne amerikanische Besserungssystem. Indeed, he gives a German translation of one whole issue of The Summary, jokes and all. The following is the account of The Summary received from Elmira for this article. The official title of the institution is the New York State Reformatory, over which the able successor to Mr. Brockway, Mr. J. F. Scott, presides.

"On the 22d of November, 1883, there was given to the world a little four sheet, oddly built paper that has ever since held its place without question. It was The Summary.

"Institutional journalism was a new thing then, and the birth of the little newspaper was looked upon with wonder and interest by several hundred well-meaning minds who hoped that the future would bring it success, and we feel that their hopes have been answered. On that Thanksgiving Day, so many years ago, there came from the awkward, hard-to-manage press, the first of the efforts of the progressive minds of our then small "secluded city." As we look upon the copy today and know that it was edited, set, proofed, and printed all in one room that served as an editorial sanctum and a printing shop at the same time, we can partly understand how eagerly its coming was watched and how it must have been read with untiring interest by those to whom the privilege was new, while it formed their only connection with the great, roomy outside. In those days institutional life was vastly different and it does not need an imaginative mind to picture the welcome the first Summary received.

"Since that day many changes have come to pass in The Summary. First, a few years after its birth the paper was made a weekly instead of a monthly sheet. Then the monthly Summary, devoted to penology and other matters sociological, for outsiders, was inaugurated. Prominent writers contributed to this sheet, and it soon acquired an almost world-wide circulation, and was rated and valued highly by those interested in the stupendous problems of criminology and prison reformation. Owing to the enactment of certain laws these periodicals were discontinued after about a year, and great was the regret caused thereby.

"The first 'Special'—composed of twelve pages—made its appearance in 1893, and met with such genuine commendation and success that it has ever since proved an important factor in the editions of The Summary. Each year usually brings forth at least three of these interesting 'Specials,' each containing twenty-four pages with a cover of suitable and pleasing colors. Years ago, when the institution conducted a photo-etching department, it was possible to run numerous illustrations, thereby adding beauty and variety to the paper, but the half-tones and zinc etchings made by that branch of the institution's labor are now things of the past, and the plain, solid, even columns of reading matter alone constitute the 'Specials' of today.

"The first press was a tiny affair, such as is now used in the printing office for job work only. Then a Cottrell cylinder press was installed, and although it was undoubtedly a marvel in its day, it had to give way to the magnificent, big Babcock Optimus press which now turns out with great rapidity the handsomely printed paper. The press is run by electricity, and proves, together with many other instances of our mighty age, the progress of the world today.

"Last year (1908) witnessed the installation of the printing department in the new Trades School Building, and the difficult moving of that many-pieced shop can hardly appeal to an outsider in its true light. The changing alone of the mighty, black Babcock was a remarkable piece of work. The swiftness and completeness that were demonstrated during the change speak highly for that efficient, self-supporting department.

"The regular eight page Summary is made up as follows: First page, late news items clipped from the daily newspapers; second page, editorial page, containing editorials written by the editor, assistant editor and oftentimes, additional editorials written by other inmates of the Reformatory; third page, miscellaneous articles, poems, and jokes; fourth page, Reformatory notes written by the editorial staff, and sometimes supplemented by short poems or notes written by other inmates; fifth page, short domestic and foreign news items—a summary of the week's news; sixth page, a short story, generally taken from a popular magazine; seventh page, miscellaneous articles of educational value; eighth page, sporting and theatrical notes of a wholesome nature.

"No sensational court or criminal news is published in The Summary, nor is news of horse racing or prize fighting given space in any of its pages. The purpose of The Summary is twofold: to furnish the Reformatory's inmates with the political, industrial, and social news of the world, and thereby keep alive their interest in and patriotism for their country, and to inculcate, without sermonizing, ideas of thrift, enterprise, honesty, decency, and manliness.

"The Summary does not have a permanent editor. The paper's editorial staff consists of only two men, the editor and assistant editor, both of whom are inmates, working under supervision of the school director. Since the average time spent at the Reformatory by the men committed there is only about fourteen months, it follows that changes are made at least once a year in the editorial department. About 150 copies of The Summary are mailed to outsiders every week."

The history of The Mirror of Minnesota goes back to August, 1887. It was started by a few inmates, "to be a home newspaper; to encourage moral and intellectual improvement among the prisoners; to acquaint the public with the true status of the prisoner;

to disseminate penological information, and to aid in dispelling that prejudice which has ever been the bar sinister to a fallen man's self-redemption." The Mirror is still edited by one of the inmates. An account of his work says: "He also superintends the job printing of the institution which is turned out in the office on a small 8 x 12 Gordon jobber. In addition to the editor there are three printers and one pressman employed in the office. Books, pamphlets, and commercial printing are turned out annually to the amount of several thousand dollars. The job office, though the small press is run by hand power, is profitable, and more than makes up for any shortage in the conduct of the paper. The Mirror carries no advertising. Apprentices are taught the fundamental principles of the trade, and upon leaving are in demand by those who need competent craftsmen."

Many of the inmates write entertainingly for this publication, which is well known in the West and often quoted by other papers. The circulation is about 2200, for though only 1500 copies are printed weekly they are mailed after being read to almost as many more readers. In size it is a five column quarto. The exchanges—which are numerous—are sent to the library and ten inmates have the reading of each one.

The Mirror was first established with the hope that any profits arising from its publication might be used for buying books for the prison library. The sum of $200 was raised to set the plan in motion, and at the end of six months the $200 was returned to those who had advanced it and the paper was on a solid footing. At the end of a year it had contributed $150 to the library fund, and up to date it has been a success financially. There is also a bindery in which the books of the library are kept in repair. The first motto of the paper was "God helps those who help themselves," but it created so much merriment in the wicked world that with the second issue it was changed to "It is never too late to mend," which it still retains. The prison has about 700 inmates, and is under the charge of one of the best prison men in the country, Mr. Henry Wolfer.

The Reformatory Press, of Anamosa, Iowa, in an editorial at the opening of its twelfth volume says: "The press of the country at large was almost unanimous in predicting that no good would come from publishing a prison paper, and that it would die an early death. Time has proved that those who thus prognosticated have had to chew the cud of disappointment, for today it is generally conceded that in those institutions where a prison paper is maintained it is an important factor for the intellectual improvement of its inmates."

This might be markedly true of the Anamosa paper, because it is edited as well as printed by the inmates, of whom there are more than 450 in the prison. The chaplain superintends their work, but article after article bears only the convict's number at the head. The subjects treated bear witness to an interest in their own problems. Thus one on the Evolution of Crime ascribes to child labor one cause of crime. The writer asks, "How can an ill-fed, ill-clad child, often the offspring of uncouth, illiterate parents, turn out at best anything but a criminal, when from his youngest days he is driven to work and slave for a mere pittance, which he must turn over to his parents, who most often drink up this money, where food and clothing should have been purchased with it? . . . Every human being should have its childhood, the memory of its playtime; but, as things are now, society employing many of these children, society is really at fault when some of them turn from the path of right."

The Indiana Reformatory at Jeffersonville has a daily paper with a weekly edition, The Reflector. The following account has been sent by one who was long an officer there:

"In 1896, the management of the Indiana Reformatory at Jeffersonville established a weekly newspaper known as The Reflector. On account of lack of funds, but very little equipment could be purchased at that time, but enough money was taken from the maintenance fund to procure a small job hand press and the necessary type to issue a weekly six page, four column newspaper.

"The first few years, the editorial and mechanical make-up of the paper was principally the work of the inmates of the institution, there being no funds to procure the services of a practical printer.

"In 1903, the management of the institution was changed and additional appropriations given for the trade school fund purposes of the institution. The services of a practical printer were secured at that time. The management then decided to change the policy with reference to the preparation of the matter and the mechanical make-up that went into the news columns; the inmates no longer have to do with preparing editorials or selection of the matter that should be printed. The department thereafter was to be known as the printing trade school, where the weekly Reflector would be issued under the careful direction of a practical printer.

"The paper was enlarged, news pertaining to the institution and its affairs eliminated. Arrangements were made with the four hundred weekly papers of the state to exchange. From these papers each week was clipped news that would be of interest to the inmates, a page of The Reflector each week being devoted in this way to state and county news. This page of the paper proved to be of much interest to the inmates, and is still being used. So much good was being accomplished under the new order of things that additional machinery in 1907 was purchased, it being impossible to turn out the weekly paper and take care of the job work for the institution with the machinery at hand. A new Miehle cylinder press was provided, and in addition another job press, and the necessary bookbinding equipment installed to do the replacing and rebinding of more than 6000 volumes that were in our library. With the new cylinder press we were enabled to turn out the paper almost perfect in mechanical make-up, and with a shop equipped with up-to-date machinery and type, greater efforts were put forward by the inmates and instructor, and within a short time the management could see there had been no mistake made in equipping this department with modern machinery and inaugurating modern methods in conducting the business of the department.

"With the new equipment installed, we were able to give employment eight hours a day to at least twenty-five boys, and to make of them practical printers. So well pleased was the board of managers, that on January 1, 1908, they permitted the issuing of a daily known as the Daily Reflector, a six page, four column paper. This paper was placed in the cellroom of each inmate at 4 p. m. daily. The management in issuing this daily, had three objects in view:

"First, to interest, educate and keep the readers in touch as closely as possible in its limited space, with the outside world.

"Second, to run a serial story, publishing a portion each day, the story to be selected from high class fiction or history with a view to occupying the mind of the reader, thus breaking in a degree the monotony of institutional life.

"Third, to give employment to the inmates who were assigned to the department with a view of making of them practical printers. The policy of the paper at all times is to contain clean readable matter which would be of lasting benefit to those for whom it was printed, as we believe there is nothing so helpful to a man as good reading matter and nothing so detrimental as much that is found in the columns of the average modern daily paper.

"The contents of the paper are carefully guarded as to the matter it contains, the chief aim being to print nothing that will not have a tendency to help its readers by impressing upon their minds the advantage of leading a clean, moral and upright life.

"To my mind, there is no influence in an institution that will assist to bring about successful reformation more than a properly equipped printing office under a thoroughly practical instructor. Then with a clean up-to-date library with the best books of the day catalogued, indexed, and a librarian who is a free man and capable, an institution has the foundation for real work along lines of reformation.

"In 1903, The Reflector was in a crude form without a practical instructor. The library of the institution of 3500 volumes was not properly catalogued and indexed or properly cared for, the result being that there were only about 4000 books issued monthly and these were not being read, but were used in many instances as scratch books where smutty pictures were drawn on the fly-leaves, and in other ways they were so disfigured as to destroy their usefulness.

"At the beginning of 1909, the reformatory at Jeffersonville had a clean daily and weekly newspaper, a library of more than 7000 volumes that were up-to-date and from seventy-five to one hundred of the best weekly and monthly magazines, all of which were catalogued and indexed, and a catalogue placed in the hands of each inmate of the institution. The result with these modern methods of education, a well equipped printing plant and library, was that instead of the inmates of the institution reading or having issued to them 4000 volumes a month, there were being issued at the beginning of 1909, 25,000 copies of The Reflector monthly and on an average 16,000 volumes from the library each month.

"These books were being read without a scratch or pencil mark and without a fly-leaf being destroyed, and during a whole year only two books were unaccounted for in an issue of more than 180,000.

"Such are the results of a systematic effort on the part of the management to interest and instruct the inmates of the reformatory, through the medium of a clean newspaper and a modern up-to-date library."

Chaplain Batt has been good enough to furnish a sketch of Our Paper, published in the Massachusetts Reformatory, as follows:

"The first number of Our Paper was published May 30, 1885. It is struck off every Saturday in season to be given to the prisoners fresh on Sunday. Almost all the time it has been of sixteen pages, a little more than nine by twelve inches in size; at present it has twelve pages. It aims to give enough of the news of the day to keep all that faithfully read it fairly well posted in regard to public affairs. It endeavors also to furnish interesting reading.

"The superintendent has always been the responsible editor. The first superintendent preferred to take actual charge of the paper throughout. He put his whole heart into the paper. In his estimation it was one of the chief means of doing good in the prison, and the tone which he gave it was of the best. Taking the twenty-five years together, however, the chaplain, by the kind permission of the superintendents, has perhaps done as much writing for the paper, and has had as much care of the editing of it, as any one else. Prisoners have written a great deal for the paper, especially reports of meetings, lectures, sermons, addresses, etc. They have furnished original papers, not a few, and also some fair poetry.

"A copy of the paper is given to every prisoner, and after he has read it, he may send it home if he wishes to do so. We have a regular mailing list outside of the prison of some 300 names, including the judges of the courts of the state, and high officials of the state, other institutions similar to our own over the country, prominent penologists, prison congress people, and others interested in such papers. When the state legislature is in session a copy is sent to each member every week. We often print an edition of more than 2000 copies for all these purposes. It has always been sent through the mail at the full price of second class matter. We think that our paper influences public opinion here in the prison as really as a local paper ordinarily influences public opinion in its town.

"A Quarterly Supplement is issued, especially for the officers. This Supplement is intended to aid the officers to keep themselves well informed upon penological discussions in the country. It also especially aims to encourage officers to hold up, each one for himself, a high ideal of his office. The Supplement is published by order of the superintendent, and is edited by the chaplain. It has been printed now for fourteen years. We do not know of any other prison where anything is published similar to our Quarterly Supplement.

"We do not know that any prison paper, still before the public, was established before Our Paper, except The Summary, of Elmira, New York. A file of the paper is kept at the prison, also at the Massachusetts State Library, and perhaps at the New York State Library, and in some other places."

Another reformatory which prints an excellent paper, without advertisements, is the one in Mansfield, Ohio. It is called The Reformatory Outlook, and was started about seven years ago. It is edited and printed, as several others are, by the head of the printing department. He makes no contribution except some of the paragraphs in the editorial column. The chaplain is censor, and the principal contributor of the longer editorials, and he also has charge exclusively of the religious department. The superintendent, the well-known Mr. J. A. Leonard, says:

"The contributions in the main come from inmates, and we have been able at all times to get more deserving articles than possibly in any other way. From time to time we get special articles written by people of talent in this direction who want to help the work.

"We do not allow stories of crime, except such as the assassination of Prince Ito, for instance, that become important items of news in the political history of the world. As the name implies, we endeavor, through our paper, to give inmates a general outlook upon the outside through the news summary printed in its pages."

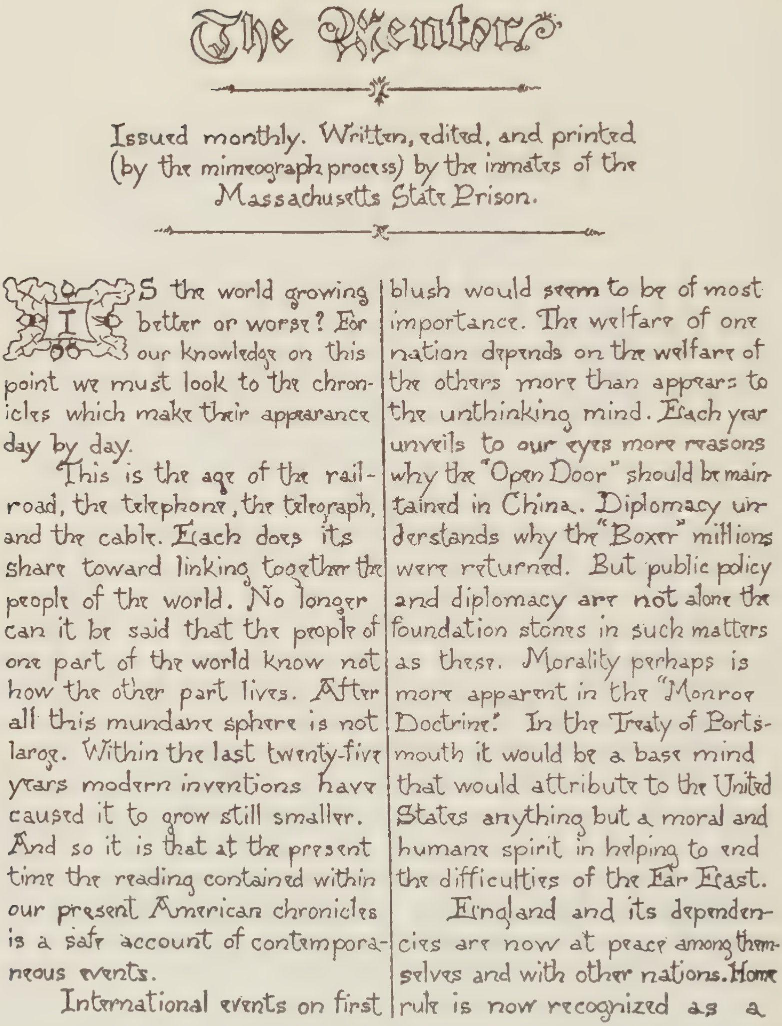
But the publishing of a paper was not to be left entirely to the reformatories. Some of the state prisons soon followed, till now at least five or six issue a paper regularly. The one having the largest circulation, because it covers the four state prisons of New York, is The Star of Hope. This is a bi-weekly periodical published regularly in Sing Sing prison. It was founded April 22, 1899, by the inmates and is edited, contributed to and printed by them. The inmates of the four state prisons (Sing Sing, Auburn, Clinton, Woman's Prison) have equal privileges in contributing to its columns. "Its aims and objects are to be an acceptable home paper; to encourage intellectual and moral improvement among its institutional constituency; to acquaint the public with our correct status; to disseminate penological information and to aid our condition morally by dispelling that prejudice which has ever been a hindrance to a fallen man's self-redemption." The subscription price is $2.50 yearly.

All the articles in this paper are contributed by the members of the four state prisons, though the contributions of the Woman's Prison are few, making up in good sense and taste what they lack in amount. The paper shows the need of more careful editorial supervision. Not only are there ludicrous mistakes, such as the use of the word lubrication for lucubration, oriole for aureole and many other words that sound alike but have very different meanings, but there is a lack of good taste in the brevities and jokes. Items about races and prize fighting are allowed to creep in. The atmosphere is quite different when selected articles and poems are used. There is little poetry in The Star of Hope, but any number of "Lines." The prose contributions are better than the rhymes, though stories that turn on the hero's making a fortune by the turn of the roulette wheel, so that he can buy his sweetheart some five thousand dollar pearls, are not very wholesome for the two or three thousand prisoners who read this paper. They rather counteract the otherwise wholesome spirit of the paper and the good advice of the editorial columns.

Another paper edited by convicts is The Monthly Record, of the Connecticut state prison, where Mr. Albert Garvin is the efficient warden. It has been in existence thirteen years and the thousand copies it issues go to every man in the prison and to many of their homes. It is a part of the educational system. The state of Connecticut is well known for her scholastic institutions, but though little may be known to the world of what goes on within the prison walls in this direction, yet The Monthly Record speaks with pride of the prison schools "where men teach solely because they like to teach and men study solely because they want to learn," and it says truly, "No wall is so high as the wall which separates those who cannot read and write from those who can."

Taken all in all, perhaps the most interesting prison paper in the country is the one issued by the state prison, at Charlestown, Massachusetts. It is very handsome in appearance and attractive in reading and make-up. The Boston Herald describing it says:

"The prisoners dress their literature in the same hue as they clothe their bodies—in prison gray. The cover of this magazine is of this color, printed with black ink. All the inside sheets are struck off on a circular mimeograph, the work of many hours. Each number contains 48 pages. The editorial office is down in a little office at the level of the prison yard. The walls are bare stone. Two windows look out at the base of the towering wall and the view is checkered by prison bars. The establishment consists of three simple desks, the mimeograph machine, a big filing cabinet and a few shelves and drawers. The editors number three—the man who makes the stencils for the mimeograph, the man who handles the machine and helps edit, and the editor-in-chief, who is also the superintendent of the correspondence school which the paper conducts. The man with the stylus is an artist. For four years he has carved out on the waxed paper which forms the stencil, 48 pages each month, in even,



The Mentor

Issued monthly. Written, edited, and printed (by the mimeograph process) by the inmates of the Massachusetts State Prison.

IS the world growing better or worse? For our knowledge on this point we must look to the chronicles which make their appearance day by day.

This is the age of the railroad, the telephone, the telegraph, and the cable. Each does its share toward linking together the people of the world. No longer can it be said that the people of one part of the world know not how the other part lives. After all this mundane sphere is not large. Within the last twenty-five years modern inventions have caused it to grow still smaller. And so it is that at the present time the reading contained within our present American chronicles is a safe account of contemporaneous events.

International events on first blush would seem to be of most importance. The welfare of one nation depends on the welfare of the others more than appears to the unthinking mind. Each year unveils to our eyes more reasons why the "Open Door" should be maintained in China. Diplomacy understands why the "Boxer" millions were returned. But public policy and diplomacy are not alone the foundation stones in such matters as these. Morality perhaps is more apparent in the "Monroe Doctrine." In the Treaty of Portsmouth it would be a base mind that would attribute to the United States anything but a moral and humane spirit in helping to end the difficulties of the Far East.

England and its dependencies are now at peace among themselves and with other nations. Home rule is now recognized as a

Facsimile of a page from newspaper printed by hand at the Massachusetts State Prison, Charlestown printed letters. He draws designs for the contents pages, initial letters and tiny decorative sketches to be distributed through the paper."

The editorial work is done entirely by prisoners and any inmate may submit matter for use in the magazine. This is considered a part of the school system. Two hundred copies are issued each month, enough for the use of the institution only. Each prisoner who has an article accepted and printed has, however, an extra copy to send to his friends. The influence of The Mentor is considered excellent in the prison. It is distinctively a "home" paper, as only original matter is used.

Long familiarity with many of these institution papers has revealed the pleasant fact that one may look in vain for "cant" in them. "Sound as a nut" is the conclusion reached on examining them. The religious side has due prominence in most, but it is a sane religion, that appeals to reason and inspires to better living. There are no men so critical of the religious attitude as prisoners. They can detect sham at a glance, and they are the first to recognize sincerity and purity of purpose. Their respect for the genuine chaplain, who serves them because he loves both God and man, is not surpassed in any church in the land. But the man who comes to preach *down* to them, to remind them of the gulf between his saintly self and their polluted souls, wins neither love nor respect from the prisoner. Happily there are few chaplains who are not deserving of the men's best thought and in many cases the editorial work of the prisoners is submitted to the chaplain as the censor.

There is almost nothing of the "goody-goody" style of writing in the articles contributed by the men themselves. If they have any advice to give, they choose language that meets their fellow convicts halfway. It is not the highest style of English, but it is snappy and forceful. When they say, in a brief paragraph "Cut out the old life with the beginning of the New Year: you can, if you will," the men understand it. They also understand such a bit of advice as "It is always easier to travel down grade once you have started. Stop now. Right about face! Climb to the top of the hill again. *You*, my boy, are meant." The fellow who has slipped back in his grade is much more likely to "right about" when he reads that than if there had been a sermon preached on the subject. Another prison paper has a similar brevity, but a bit of the classic clings to it: "The descent to hell, according to Virgil, is easy, and is about the only thing that *is* easy to the fellow who spends his days looking for a snap."

Choice bits from the writings of well-known people are usually interspersed among the longer articles in these institution papers, as, "I am not bound to win, but I am bound to be true. I am not bound to succeed, but I am bound to live up to what light I have. I must stand with anybody that stands right; stand with him while he is right and part with him when he is wrong." If the everyday chaplain had written that it might make little impression on the prisoner, but when the latter sees that they are the words of Abraham Lincoln they take on a brighter light to illumine the way. The industrial teacher in a reformatory may praise the value of labor, but two lines from Thomas Carlyle in the weekly paper may strike deeper than his gospel: "Blessed is the man who has found his work; let him ask no other blessedness."

The prayerbook may be quite familiar to many a man and yet Robert Louis Stevenson's "My Creed" may touch a chord untouched before as the prisoner reads in the corner of his prison paper: "To be honest, to be kind, to earn a little and to spend less; to make upon the whole a family happier by his presence; to renounce where that shall be necessary, and not to be embittered; to keep a few friends, but these without capitulation; above all, on the same grim conditions, to keep friends with himself,—here's a task for all that a man has of fortitude and delicacy."

It is quite as important in prison literature to avoid unwise use of even good material as in speaking to the boys in chapel. A brilliant superintendent once said that "Washington's little hatchet and the prodigal eating husks are the bugbears of reform schools," and that when a stranger came to preach he was always afraid he would allude to the matchless story of the prodigal son, for the boys had heard it so often it only made them smile. Vastly better is the method adopted in most of the institution papers of printing selections from the Bible, good poetry and noble sentiments.

It must be confessed that however good the prose articles may be, and they are often very good, prison poetry, so far as displayed in this literature, is pretty poor, and those editors are wiser who draw from the great harvest of the best writers. The papers that insist on printing only such material as is furnished by the inmates cut themselves off from this boundless source of inspiration. Lend a Hand, the paper of the Oregon state prison, which has adopted the motto of Edward Everett Hale, "Look up, and not down; look out and not in; look forward, not back; and lend a hand," along with original and selected articles prints some original verse. Here is one stanza in which the convict tries to find comfort:

"When you're locked behind the bars at night, philosophize and see,
From President down to pauper that no man is really free.
Some must do this, some must do that, his portion each and all,
This world is but a prison house with an endless prison wall."

Another poor fellow sings in sorrow:

"In my prison cell I think
Of the ups and downs of life,
Of the day when I was parted
From a happy, loving wife.

"Could I undo what I have done
And breathe of freedom's air,
I'd clasp my flower to my heart
And live not in despair."

Men in the reformatories, and in prisons where the indeterminate sentence and parole are in force, have always the beacon of hope to cheer them, but most prisons can give no such hope. The following is cheerless enough, but is a favorite in prisons and is occasionally reprinted, as it has been recently in Our Paper. It is said to have been written by a Harvard graduate who was sentenced for a long term of years to Sing Sing for the misappropriation of trust funds.

"The roses bloom in the garden,
The bee comes wooing the flowers,
The song-bird pipes to his nest-mate
Through all the golden hours;
The breeze is freighted with fragrance
From forest, and field, and lea,
But youth has fled, and hope lies dead,
So, what are they all to me?

"The blue-bird rocks in the tree-tops,
Free as the summer air,
Swings, and sways, and warbles,
With never a flutter of care;
Memories never haunt him,
No thought of the morrow has he,
But the guarded wall like a sombre pall,
O'ershadows it all for me.

"I sit in the glowing twilight,
And gaze on the evening sky,
On the glorious sunset banners
That athwart the hill-tops fly,
Till the diamond eyes of Heaven
Look down on the bond and the free,
But I see the stars through the prison bars,
So, what are they all to me?

"Ah! the flowers have lost their perfume,
The summer breezes are chill,
The bees are naught but gluttons,
And harsh the song-bird's trill;
For the mighty voices of nature,
Of earth, of heaven, of sea,
Have naught of cheer for a prisoner's ear,
What! what are they all to me?"

It is not always the chaplain who is responsible for imparting good doctrine. There are many thoughtful editorials written by those who may sign only a number instead of a name, and the men who have charge of the editorial page are not always under the censorship of the chaplain. Texas, for instance, does not profess that her great prison at Huntsville is a reformatory. No southern state has yet been able to make that claim for her prisons. But The Monitor Magazine, published at Huntsville, under the care of Captain R. H. Underwood, the assistant superintendent, has reformatory influence. In a recent issue it has an editorial entitled A Definition of Practical Christianity, not just the subject one would have supposed would attract the ordinary prisoner, especially in a prison where the object would be to sell as many copies of the magazine as possible, since ten per cent of the gross income of the publication is appropriated to the general benefit of the prisoners. The following extracts from this editorial show that it was meant to convince these men that religion is possible for them as well as for the outer world:

"If this definition be drawn from the teachings of Jesus in regard to human conduct and the example of his own practices nothing can be simpler. The least sentimental business man, whose ethical notions of honesty are governed entirely by motives of expediency and policy, will readily admit that the teachings and practices can be followed in the daily actions of life without inconvenience—even with profit. They will even admit that the practice of patience, charity, compassion, and good will to fellow man alone brings lasting peace.

"Religion is a human instinct . . . the human heart reaching upward toward God. . . . Christianity as exemplified by the divine Nazarene is the highest development yet attained; and the dream of Ben Adhem has become true: he who most loves his fellow man is best beloved of God."

Here is another quotation that is so simple it appeals to the men in prison. It is cut from a prison paper that copies it from a New York exchange.

MY CREED

I would be true, for there are those who would trust me;
I would be pure, for there are those who care;
I would be strong, for there is much to suffer;
I would be brave, for there is much to dare.
I would be friend of all—the foe, the friendless;
I would be giving and forget the gift;
I would be humble, for I know my weakness,
I would look up—and laugh—and love—and lift.

The following are clippings from some of these papers:

"Never mind waiting for Opportunity to knock upon your door. Open 'er up wide, and hide over behind the desk. When Opportunity comes in, slam the door quick, grab him around the neck, and *don't let go*, till you are certain of your mastery."

"Are you doing your work right? Have you commenced to lay the corner-stone—the part-structure that must bear future inspection? If not, why not? Surely you can see that to delay building identifies you as being shiftless and unreliable! You would not like it said that you are seeking a return trip to prison! Yet, making no effort, evidencing no desire to build a new structure, so to speak, classes you of the number of men who find prison and its environment homelike."

"If it is merely a rut that you are in, get out of it and quickly. Make a spurt for the wire—the starting point of a new life."

"Ponder, have in mind that being of the shiftless class numbers you as being good-for-nothing, and portrays you in a very lifelike manner, as being a devotee of prison life and only waiting for the opportunity to return to it."

"Quit your whining; brace up; go to work; be something; stand for something; fill your place in the universe. Instead of whining around, exciting only pity and contempt, face about and make something of yourself. Reach up to the stature of manhood and womanhood. There is nothing the matter with you. Just quit your whining and go to work."

"Turn over a new leaf, fellows! Begin to-day! Do not foolishly refuse to work, for you are ALWAYS the loser. And you fellows who do not exactly refuse to work, but who do your work in a slovenly manner and only half complete it; you, too, are forming habits of laziness which will cling to you as barnacles do to the bottom of a ship."

"Here's a tip. When you go out to seek a position dress like you mean it. Pink shirts, green socks, and a plaid hat band are not a good combination on such occasions."

"Though you may not meet with the loved ones today as you would like, you can at least give your memory the pleasure of going back to those good old days when you were a care-free child. A merry Christmas to you."

" BY 6197

"A gentleman will, to begin with, be honest. Honest to himself, with himself, and with his fellow man. He will be polite not only where it is to his interest to be so, but always; he will be courteous but not subservient nor fawning; he will be gentle and kind, but firm and just. And as the most important thing to all the foregoing he will ever remember to be at pains to cultivate proper understanding in the little niceties due womankind; he will give to the American woman of society his deference and courteous attention no less than he will to the laundry lady who is also a human being with 'feelings' like her wealthier sister.

"A MAN is invariably a gentleman. As yet there is no distinguishing mark on his coat tail to recognize him in passing. Yet no reason may be shown for despair. Even though the question, What is a gentleman? has not been answered for the American public, the American gentleman himself may soon answer his questioners. To begin with, be a man; after that it can only be so much easier to be a gentleman."

Many editorials and even more selections relate to various phases of prison reform, and if they are read by the men, it will certainly help to bring about a better sentiment with regard to these important matters. Here, for instance, is excellent gospel to disseminate. After having reached a wide public in a St. Louis daily, a prison paper copies and spreads the good tidings to the 1500 men in the cells of a neighboring state. This goes into all the other prisons and reformatories with which it has exchanges and so the germ of reform spreads. It is headed Wages for Prisoners:

"Every man who works, whether in prison or out, should have part of his earnings for himself. Absolutely unrequited labor is degrading. It kills all ambition. Prisoners should be made to work for three reasons: for their physical and mental health, to create and preserve in them the habit of labor, and to help the state bear the burden of their keep. . . . The sentiment that it is cheaper and better for society to reform its criminals than merely to punish them is steadily growing. One of the chief elements of reform is to preserve as far as possible the pride and self-respect of convicts, to keep them from killing the manhood in them. Prisons are gradually being reorganized along reformatory lines. Great progress has been made in Missouri of late, as witness the removal of stripes from the clothing, but still greater progress is possible. One of the most important things is prison labor and that the labor be requited."

There are articles on juvenile courts, on probation, on the indeterminate sentence, all with the right tone. In some papers there are brief reports of state conferences of charities and corrections, that their readers may see how earnestly the thinking men and women of the country are trying to improve prison legislation and the condition and prospects of the prisoner himself.

The selected articles are rarely stories, except in papers published for juvenile inmates. They are historical and geographical. The late polar explorations covered pages of prison papers, widening the thoughts of the men whose horizon at present is limited by four walls. The controversial aspect did not creep in to any great extent. No stories of crime are allowed, and, as has been said, only two or three admit any advertisements. Those that are inserted are not such as would call out a hearty response from the inmate readers, and some, like the notice of the coming and going of railroad trains, must seem to have a spark of malice in them.

But jokes! There is hardly one which does not show its American sense of humor by the jokes in every cranny and corner. Most are copied from other papers. They are not always very funny, nor always in good taste, though never vulgar. Here more than elsewhere a certain amount of slang finds vent. Probably the censor winks at that. But they do not hesitate to joke over their own condition, which very likely helps to make it lighter. For instance:

"*New arrival:* Mister officer, haven't you any interpreting work that I could do? I speak seven languages!

"*Officer:* We speak only one here and very little of that."

The men in prisons where silence is enforced can appreciate that.

Or this, which has as much pathos as some of the poems:

"Gee!" as he gazed across the fields at the snow-clad hills, "Last year at this time I was coasting and skating and *now I am here.*"

"Cheer up, Georgie! Next year will have its snow and ice, you know."

The different departments in the institutions have their reporters who contribute brief notes about the work or the workers. One has but to read the headings to these notes to know the industries carried on: Hoops and Staves, Anvil Rings, Quarry Blasts, Stone Shed Gossip, Silent School Hours, Kitchen Sparks, Buzz Saw Shavings.

Almost all of the papers print in each issue the leading facts about the institution, the number received, the number paroled, the number returning and the number of sick. Only one has the outrageous custom of printing the names, crimes, and sentences of every man and woman received. It is a striking proof of the generally high standard of these papers that this one exception seems so shocking, when we reflect that every daily in the land not only prints such bare facts about a man, but many penetrate into the secrets of his domestic life and pitilessly spread them open to a curious world. Indeed, one may still say of these papers, as the genial Charles Dudley Warner once said of The Summary, that it was the only paper he knew which he was willing to leave on his drawing-room table for every one to read, since from first word to last there was nothing offensive to good taste or morality in it. If censorship can produce such papers, one might almost pray for a little more paternalism to be exercised over yellow journals and many others that consider themselves superior to the worst sensationalism. Europeans who mercilessly criticize this tone in American papers, have only kind words for the periodicals issued by our various penal and reformatory institutions.

It may be asked, what is the general influence of these papers on the inmates themselves? This question was sent to the heads of thirty institutions which publish papers, and without exception the testimony was in favor of them. They lead the men to read and then to use the libraries. Some of the papers give the number of books used by the men, classified. Naturally fiction, which most quickly transports a man's soul beyond the prison walls, is first in the list, but travels, biographies, and science follow close. Even poetry counts up. In some of the larger institutions literally thousands of books change hands every week. In many they are kept in repair and re-bound within the walls, as part of the industrial training, just as the printing of the papers is a part of the school or industrial work. If one adds up the number of papers, the surprising total of nearly 20,000 copies is found to issue from these presses during the year—dailies, monthlies, and weeklies. That is far from supplying each prisoner in the United States, since the last census shows that we had more than 80,000 in prisons and more than 20,000 in juvenile reformatories, but it is at least something if about one in five can have good clean reading matter with a summary of the events of the outer world to which, sooner or later, they will nearly all return, and with which it is best they should still have close ties.

It is not to the discredit of the men of our institutions that possibly the part of the paper which they look at first is the page devoted to athletic games. No reports of horse races are permitted, of course, nor any kind of gambling, but baseball and football records are printed in many, and in certain institutions the men themselves are allowed to play as a measure of preserving the health.

Biographical sketches of prominent people are given occasionally, stories of men who have made their way in spite of obstacles and poverty. The reader may imagine that it was touching to the present writer to several times come upon appreciative words of her husband, and to find a quotation from something he had written for *The Survey*, which had been copied and recopied from one prison journal to another, till quite by chance, in a Pacific coast paper, her eyes caught the words, "But hear Dr. Barrows!" and then followed his sympathetic plea for the men who are seeking parole: "A difficult class of prisoners to help and provide for are those who by conduct and attainments in prison are eligible for parole, but who have not friends to secure for them places of employment before their discharge. Sometimes these prisoners are peculiarly deserving. It is hard to keep them in prison because of lack of employment outside, yet this is an important condition of parole which ought not to be too easily relaxed. The method employed by Elmira in such cases is to release them for a period of ten days, in the custody of the Prison Association of New York or some agent of the Reformatory outside of Greater

New York. They are generally able, during this period, which can be extended in deserving cases, to find work, not perhaps very remunerative, but enough to pay their board and leave a small margin." His voice, silent in death, is thus still speaking to and for the prisoner. Himself a journalist, having written for the press from the time he was eighteen, Mr. Barrows was greatly interested in prison papers and in the fact that so many men learn typesetting, reporting, and presswork. In trying to place men out on parole it was always a pleasure to him to assist men who were ready to go on with this sort of work.

In surveying then this field of industrial and mental work for men in prisons and reformatories, it may be said that it is the rule in American institutions of the best class to have a paper edited and printed by the inmates; that this training fits them to get work on their release from imprisonment; that the effect on the men themselves is excellent; and that such papers and magazines help not only in discipline, but in keeping men in such touch with the world outside that they are better fitted to resume life there when the day of freedom comes. In prisons as well as in reformatories they have a good moral influence and are an inspiration to better living. Were these facts better known, every prison, as well as every reformatory, would, it is believed, establish a paper within its walls.

XII

THE PRISON PHYSICIAN AND HIS WORK

I. HEALTH AND DISEASE IN PRISON

By JULIUS B. RANSOM, M.D.
Physician to Clinton Prison, New York

SANITARY FEATURES IN PENAL INSTITUTIONS

IT is possible here only to outline the sanitary features of our penal institutions. The chief defect of the older prisons is in the arrangement of the buildings, many of which are so placed that they do not admit a sufficient supply of sunlight and fresh air.

Most of the cell houses are constructed with the central cell block surrounded by a corridor, this block consisting of tiers or galleries of cells ranging from four to eight, one above the other. Usually the cells are small and afford less than 250 cubic feet of air space each. In many of the cell houses of the older institutions the ventilating system, if there be such, is very inadequate, and change of air is largely dependent upon the use of the windows. The window openings in the cell house walls are often small and infrequent and so placed that they do not permit the entrance of any considerable amount of sunlight to the cells or even to some parts of the corridors. In such prisons the cells are also deficient in ventilation, and the cell bucket is used for all toilet purposes. Under these conditions the malodorous and sickening effluvia emanating from the cells finds egress chiefly through the corridor surrounding the cell block. This belt of atmosphere, therefore, soon becomes charged with all sorts of bacterial life, germ-laden dust, and other débris from the numerous cells.

Another defect is in the lack of basements, especially underneath the cell halls, the floor of the cell house resting directly on the ground, which is often not underdrained and consequently emits dampness. In many institutions there are narrow and dark corridors, close grouping of buildings, unsanitary alleys, and the sewage facilities, air space, and ventilating systems are exceedingly defective.

The shops are also defective in nearly all arrangements for light, air space, ventilation, and cleanliness.

In the modern prison great sanitary progress has been made, and many of the new structures leave little to be desired. In no class of buildings has there been greater progress. They are not only models of good architecture, but they offer nearly every facility for the comfort and health of the prisoner. Practically all of the objections mentioned are overcome in the modern prison, unless it be in the adherence to the central block system, which in nearly all of the new prison structures in this country is still favored. There has been considerable discussion as to whether cells should be ranged along the outside of the cell house structure with windows opening directly to the outside atmosphere, with a central corridor and galleries, or constructed on the central block plan. On this continent designers of prison buildings have sought to overcome the objection to the central cell block plan in the new structures by building the corridors not too wide, and having the windows very large and extending from a little above the floor to the ceiling and separated only by pilasters not wider than is consistent with safe architecture; this permits the flooding of the corridors and cells with light. The ventilation of these corridors is also made a special feature, with a view to changing the entire air several times an hour.

The cell block is built with no more than four tiers of cells, each cell being of such size as to furnish 500 cubic feet of air space, and with the front of the cell opening toward the corridor fully grated. The cells are placed back to back, with a utility corridor between, which not only acts as a receptacle for plumbing and ventilating pipes, but permits easy inspection, and also acts as an additional ventilating shaft for the corridors.

With the elimination of the bucket and the substitution of modern toilet facilities in each cell, coupled with an efficient ventilating system, it is said that the cells will receive as much sun-filtered air and more direct sunlight than can be secured by the so-called central corridor type of structure. This is explained by the fact that the walls of the cell block are necessarily thick and the windows must be comparatively small; thus in a room no larger than the usual cell, some of the angles and corners are never reached by direct sunlight. It is further said that any gain which may be derived from the entrance of fresh air directly from the outside will be overcome by the condition of the atmosphere which must exist in a central corridor

Hospital Building, Showing Roof-garden, Indiana State Reformatory

which practically no air or direct sunlight can reach without first passing through the cells.*

Finally, most prison officials object to the idea of building cell blocks next to the walls because of the opportunity it might afford for escape, and also the fact that it is difficult to arrange a plan of structure whereby the utility corridor can be satisfactorily placed without a very expensive type of construction. The central corridor with outside cells, however, has many advocates. It would seem probable that location and the type of criminals to be confined should be determining factors in the type of structure to be adopted.

In the prison that is to take the place of Sing Sing prison are to be worked out not only the radical improvements incorporated in many new prison buildings, but a number of additional novel features which are important from a sanitary point of view. The cell houses are to run north and south, with a slight deviation to admit of a more perfect orientation, and are to be placed with other buildings in an enclosure of thirty acres. The corridors are roomy, and there are but three galleries. Beneath these cell houses is a roomy basement with concrete floor in which are fans, heating and plumbing pipes, etc., which insure a perfectly dry floor for the cells and corridors. All floors are granolithic and finished with a smooth surface. The windows extend from a few feet above the floor to the ceiling, this ceiling being placed at such an angle that it deflects the light downward and into the upper tier of cells. The cells are to contain 500 cubic feet of air space, and the ceilings and walls of the cells are to be pure white steel bathtub enamel, with enameled bunk, washbasin, closet, cabinet for keeping papers, etc. Each cell will have a niche closet with a noiseless roll-top desk action.

Ample provision is to be made for ventilation by means of a sirocco fan in the flues at the basement and attic so that the air can be changed in corridors and all cells frequently; and there is provision for equalization of the temperature and humidity in the different tiers of cells, overcoming the tendency of the lower tiers to be cold and damp while the upper tiers are hot and stuffy. The interior of all cell buildings is to be of enameled brick, which, with the enamel cell lining, makes it possible to keep these buildings free from all filthy accumulations and dust.

It is well known that dust is a feature of prison housing which is fraught with great danger to the inmates, as it is one of the most dangerous enemies of mankind in all departments of life, furnishing a convenient vehicle for the conveying of disease germs. Especially is this true of prisons where whitewash is used as the cleansing and disinfecting agent, for floating particles of the whitewash are drawn into the bronchi and irritate the mucous membranes, thus admitting of the easy implanting of the tubercle bacillus.

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*This is an erroneous notion; a visit to the European prisons of the better type shows the central corridor full of light. The new cell house in the House of Correction at Chicago has a well lighted and ventilated central corridor.—EDITOR.

With the rough ceilings and side walls which are usual in most prison buildings, it is very difficult to keep them in any degree free from dust, as in most institutions the dusting consists of beating or slapping the dust-laden surface, thus scattering broadcast this germ-laden dust to be inhaled by every passing person.

In many public buildings and private dwellings vacuum cleaners have come to be the chief reliance for the so-called housecleaning process. These cleaners, when of sufficient power and properly applied, practically free the rooms or buildings and contents from dust, gathering it into a mass where it can be burned and thus effectually destroyed. When the vacuum cleaner is constantly used, the dust may be said to be new dust and probably very much less charged with bacterial life. No greater addition could be made to the sanitary appliances of the prison plant than a first-class vacuum apparatus.

With the cells and side walls enameled, disinfection may be easily effected by simply wiping these enameled surfaces with material which has been moistened in some antiseptic solution, and which, together with the use of the vacuum cleaner, should render practical immunity from the infected dust element.

This prison is to have a perfectly equipped and separate hospital for the care of the sick. Besides the general bath, there will be special baths for all persons quartered in the buildings. All floors except those of the hospital wards are to be granolithic, and interior walls of central hall, cell house, corridors, arcades, condemned and punishment prison, and engine rooms, are to be finished with enameled brick. Special provision is to be made for the heating, lighting, and ventilating of the chapel and mess hall. All workshops are to be built according to the most approved manner as to light, heat, air space, and ventilation. In fact, it would seem that every possible contingency from a sanitary standpoint has been met in a manner to reduce to a minimum all danger to the health of its future inmates.

While the older structures cannot be put on such a footing, there are many improvements that could be made in the interior of these structures to render them more sanitary and less liable to favor the infection of the men confined therein.

An important feature in the sanitation of prisons is the care of the bedding and clothing, and the body hygiene of the individual prisoner. Where so many men are confined in a small space and work in close proximity to each other, the danger of infection and contamination is great, as the clothing of the individual can be made an easy means for the transfer of disease germs from one prisoner to another. Every prison should be provided with an ample steam sterilizing chamber. Clothing worn in the institution should be subjected to disinfection at stated periods and never should the clothing that has been worn by one individual be issued to another until it has been through this process of sterilization. This applies equally to the bedding, and every cell bed should be furnished with sheets and pillow slips and properly laundered. In every prison there should be an inspector of clothing and cells whose duty it should be to see that all clothing is kept in good condition and as clean as possible.

The body bathing, the care of the teeth and extremities, should also be made a positive feature in prison life. The workshops should share in the general cleanliness and be subjected at frequent intervals to thorough cleaning and disinfection.

In our modern prison structures, the sewage and ventilation are usually adequate. It only remains to apply advanced principles to the prisoners themselves to secure immunity from the unhealthy and disease-producing conditions which have always been a feature of prison life.

DIET IN PENAL INSTITUTIONS

In these days of progress, dietetics and diet have much significance in relation to the development of individual and general social conditions, especially with reference to the criminal problem.

There is a wide-spread drift away from the theory that a criminal is necessarily the result of a defective heredity, or that the so-called criminal type is so great a factor as he was once believed to be. It is now held that the criminal is not a creature of heredity so largely as of environment, and a most important developing factor in environment is diet. That nutrition has a great deal to do with the mental status of the individual is a well-accepted fact. It is on this principle that the Borstal Reformatory System now in use in England is largely built.

If diet is so important a factor in the early life history of criminals, so it is in the life of the incarcerated criminal, for if the prison is to be an institution of reform, the feeding of the prisoner becomes a most important element in his reformation. Certainly one of the primary and essential features in the reformation of the individual prisoner is good physical development and a stable nervous system, both of which are largely dependent upon the kind of diet.

Diet unquestionably affects the disposition and consequently the character and mental poise of the individual, and a poorly fed individual, all other things being equal, will fall into habits of vice more easily than one properly fed. Among the disturbing elements in prison life are the mental or psychological crises due to the disturbed nervous condition of many of the inmates. This condition is made more pronounced by the influences of improper diet. The history of army camps and ship crews shows that well-fed soldiers and sailors are less apt to become insubordinate and mutiny than those fed on poorly balanced rations.

While the prisoner is not incarcerated for the purpose of being fed an ideal diet, nevertheless he should be fed a palatable and well-balanced ration calculated to insure to him good health. I do not apprehend that the construction of the word "inferior" in some laws refers to the quality of the food in relation to its adaptation to a health diet, but simply refers to the selection with reference to cost. Good foods can be purchased at reasonable prices and an inferior cost should always be secured so long as the food is wholesome. The law is probably intended to prohibit the use of luxuries and food unnecessary to the healthy nutrition of the body. At any rate, at the present time the interpretation is a broad one, and most institutions are providing a generous mixed diet.

The defects in the feeding of prisoners in so far as I am able to ascertain by study and observation are rather in the distribution and adjustment of foods to the requirements of the different classifications of prisoners as to occupation and labor, and also the manner and place of feeding.

The first important step in the feeding of prisoners is the furnishing of a suitable room in which to serve their meals. Unquestionably the surroundings of the prisoner when eating his meals are important as to his power of digestion; dampness, darkness, and gloom are likely to impede, and in some cases almost arrest, digestion, while fresh air, light, comfort, and cheeriness aid materially in the digestion of food.*

The mess hall, therefore, should be suitably located and commodious enough to furnish plenty of air space per man, with ample supply of fresh air easily changeable by a proper system of ventilation. The room should be simple, sanitary, and decorated in light soft shades, pleasing to the eye. This room should be set with ample tables and reasonably comfortable seats, arranged so that the men can be marched in and out with ease and order.

All meals should be eaten in the mess hall; eating in the cells should not be allowed. In many institutions breakfast and dinner are taken in the mess hall, and the prisoner lunches on bread and tea in his cell at night. If any meal is to be eaten in the cell, certainly the evening meal is best taken there, as in prison life this last meal should always be simple. The diet of prisoners should consist as nearly as possible of fresh unadulterated foods; though many of the tinned foods are undoubtedly wholesome and safe.

Food should be well cooked. Too little attention is paid to the cooking of vegetables and cereals, and they often come upon the table far from being thoroughly cooked. In most institutions, a large percentage of the food is steam cooked and fed in the shape of stews, soup, and other forms of soft food, all of which may be savory, nutritious, and appetizing at times, but should not form the major portion of the diet. There should be occasional roasts, broils and bakes. In some institutions large brick ovens are used for cooking purposes, and are an advantage in the preparation of palatable and easily digested food.

The food should also be well served by waiters trained for the purpose, who should be neatly coated and aproned, preferably in white. Another important item is the dishes in which the food is served. It has been the custom from time immemorial to use tin, pewter, and other metal ware, but I am pleased to note that many institutions have discarded the tin utensils, and are using white china dishes. A mess room set up with the white ware, when compared with one set up with the old-time rusty and corroded tinware, presents a striking contrast. If these departures from the older systems seem impracticable and too expensive, I may say that all of these recommendations have been for several years in use at Clinton Prison with no increase in the actual feeding cost, and very great advantage to the men. Their value has also been proved in a number of other institutions.

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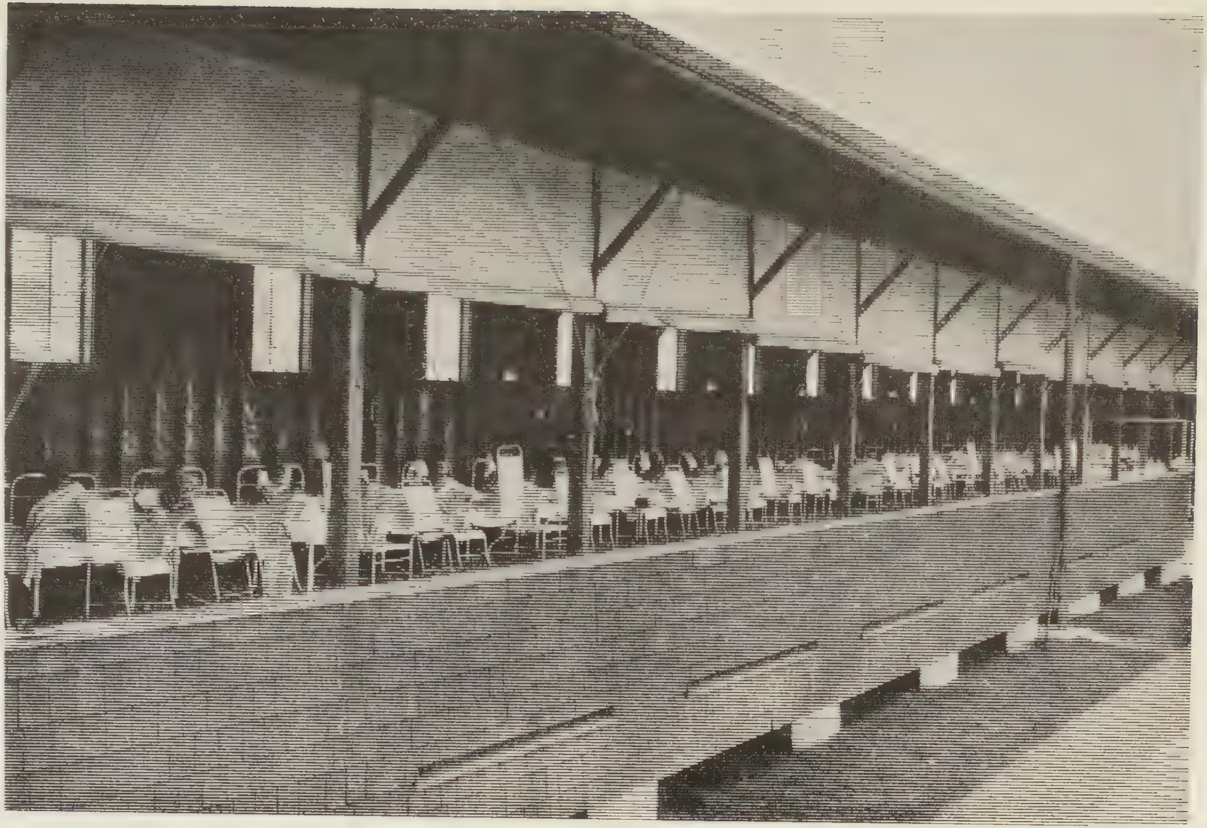
* The question of having bright orchestral music at one meal a day may be worth considering as aid to digestion.—EDITOR.

Before food can serve its mission in sustaining and rebuilding the human economy, it must have the co-operation of the individual eater, for his condition, his personality, his attitude toward the act of eating will have much to do with the nutritional value of the food he eats. First, the frame of mind is important; he who eats with moody, cast-down mind will soon eat to his discomfort, for melancholy is a prolific mother of indigestion and malnutrition. Here is a fact difficult of elimination because of the tendency of prison life to depression, and the repression consequent upon the necessary discipline, such as the restriction of conversation, which eliminates one of the important factors making for good digestion. But much can be accomplished in the way the men are handled and the training they have received with respect to mess room conduct. In very few cases is there training as to the proper method of eating, care of the teeth, etc.; the prisoner is allowed to bolt his food. Much might be done by printing a card of instructions as to how to eat, how to care for the teeth and person, what kinds of foods should be thoroughly masticated. Opportunity should be given for the inmate to have his teeth cared for by a competent dentist, preferably at his own expense, but if necessary, at the expense of the state, and every prisoner should be furnished with a tooth brush if not able to purchase one.

Ideal feeding requires consideration of the needs of the individual rather than the mass; but individual attention in a prison population is practically impossible. It is here that we experience great difficulty in a large institution in which the cost must be kept within restricted limits. It is, however, possible in some degree to classify the prisoners in any given population in such a way that their age, employment, and degree of hard labor can be considered in the providing of diet.

There are usually four classes of prisoners who could well be given diet in accordance with their several necessities. These can be grouped in a general way as: the clerical force and ordinary shop worker or factory hand; those employed at hard labor, such as carpentry, masonry, digging, farming, firing, etc.; the idle men, usually so from slight infirmities, deformities, defects of vision or old age; and the sick.

Of course the feeding of these several classes could best be done in divided mess halls, but by eliminating the sick, who would be fed



Tuberculosis Hospital, Virginia State Farm, Lassiter, Virginia

in the hospital mess, the remaining three classes could be quite well provided for in the general mess hall by simply separating them into sections. That this would require more labor, pains, and possibly a slight increase in expense is self-evident; but that the results would be much more satisfactory is equally self-evident. To feed all classes and conditions with the same kind and quantity of rations, means simply that you are overfeeding some and underfeeding others; and to overfeed is as disastrous as to underfeed. To give the man who is doing clerical work or six or eight hours' light factory work the same food that the man who toils with pick and shovel receives, is of course, an error, for here you either surfeit one or starve the other. Therefore, economical and satisfactory feeding of the prison population means the division of diet as to kind and quantity into several classifications, as to bulk and even nutritional content. Most prisons at the present time are feeding too much rather than too little, as will be seen by the following tables:

CALORIC VALUE OF DIETS FOUND TO BE SUFFICIENT FOR MEN FOLLOWING VARIOUS OCCUPATIONS

A man without muscular work, *e. g.* a clerk,	2500 to 2700
A man with light muscular work, *e. g.* a house painter	3000 to 3500
A man with moderate muscular work, *e. g.* a carpenter	3500 to 4000
A man with heavy muscular work, *e. g.* a navvy,	4000 to 5000

	Actual wgt. (*Grams*)	Nutrients Yielded			*Calories*
		Proteids (*Grams*)	*Fats* (*Grams*)	*Carbo-hydrates* (*Grams*)	
State Prisons	2329.9	139.3	49.6	556.6	3178.8
U. S. Army	1688.9	154.4	72.5	459.3	3195.4
U. S. Navy Prison Ship	2201.9	184.4	121.1	318.0	3157.4
Standards of Diets					
German standard for prisoners		110	56	500	3021.8
Voit		118	56	500	3053.8
Rowntree		125	*	*	3500.0
Bardswell and Chapman		120	*	*	3500.0

The feeding of prisoners in general we thus find very close to the standard used for similar occupations in outside communities, and in both the army and navy. It will therefore be seen by this that the improvement to be made in the dietary of the prisoner in a general way is not so much in the quantity fed, which appears to be close to the accepted standard, both as to proteid, fat and carbohydrate content, and also as to caloric value, but rather in the adjustment of the relative proportions of proteid, fat and carbo-hydrate foods to the necessities of the different classes of prisoners, taking into consideration their occupations.

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* The remaining energy required may be most advantageously supplied either as fat or carbo-hydrate.

There has been of late considerable inquiry as to whether prisoners, and in fact all eleemosynary populations, cannot be fed at a lower cost than they are now being fed for, and at the same time give a more suitable, assimilable and effective dietary than is now in general use in such institutions.

There are certain suggestions which can be brought out in a study of the relative food values and of the practice of feeding in such institutions, which may be instructive and cost-saving. For instance, the most costly portion of feeding is usually the proteid element. We find by referring to our tables that from 118 to 186 grams of proteid is daily supplied in the prisons whose dietaries were examined and which we believe to be fairly representative. Now the German standard for prisoners is from 100 to 110 grams proteid, which it will be seen is considerably less. Professor Chittenden contends in his Physiological Economy in Nutrition, that a body weight of 57 kilos can succeed in maintaining its weight on 35 grams of proteid daily. This is certainly a marked scaling downward of the proteid content and probably is much too low. There is, however, danger in feeding an excessive amount of animal proteid, as it not only tends to produce organic change in the blood vessels and the so-called intestinal infections, but also, in its effect upon the nervous system, to produce the temperamental proclivities of the carnivora.

In an examination into the proteid content of foods, it becomes apparent that a lessened amount not only of proteid but other food contents with proper adjustment would furnish higher nutritional result and tend to benefit the prisoner both mentally and physically. For instance, bread compared with beef shows that the content of bread is .0893 and of beef .258 per gram; the bread, however, furnishes 2.696 calories while the beef furnishes only 2.437 calories per gram; thus it will be seen that bread could well be substituted for meat in producing energy. This, however, without readjustment, cannot be well applied to prison populations, for they already eat too much bread, as bread is usually given ad libitum and the prisoner often gorges himself with what he considers a harmless food. It will be seen, however, by the caloric energy contained in bread that it would be very easy to overfeed or produce digestive disturbances by its excessive use. There is no article of so-called wholesome food which should be more carefully portioned out than wheaten bread. By a careful proportionate adjustment and the addition of sugar, fresh vegetables and fruits, both meat and bread, which a careful study reveals are fed in too large quantities in prison populations, could be lessened in amount.

By the supply of heat-producing foods, such as fat and carbohydrates for the colder months, and fresh vegetables, fruits, etc., for the warmer, a much more rational diet could be arranged. My examination of the dietaries of the different institutions shows that no particular attention has been paid to this important feature. The bulk of food fed, although important, has also received little attention, for it seems to be the rule to feed at least a pint and a half of tea or coffee and a quart and a half of heavy soup with other foods, which results in overdistending the stomach. This is often quickly followed by food fermentation and maybe by permanent dilatation of the stomach and many nervous ills.

Much might be done in the reduction both of bulk and cost without doing violence to the welfare of the prisoner by an interchangeable combination of the different articles of food so that a constantly changing meal can be produced, supplying at all times the necessary food elements for health and strength. One of the unfortunate features of institutional feeding is the monotony of repeating the same meals week after week and month after month. Much better results would be obtained with changes in not only the kind of food, but also in the manner of cooking and serving, of course always keeping in view the cost. The more recent studies of the subject of feeding men en masse has resulted in the conclusion that it is far better to place a cost limit on the foods and leave it to the caterer, or one having the food in charge, to make up his menus to suit the exigencies and circumstances which at any time may obtain, always keeping within the cost limit. Such a conclusion has been reached by a committee with reference to the British naval mess. While this may not prove to be entirely practical with reference to penal institutions, it is the principle which should be recognized in the arrangement of the dietary of any institution.

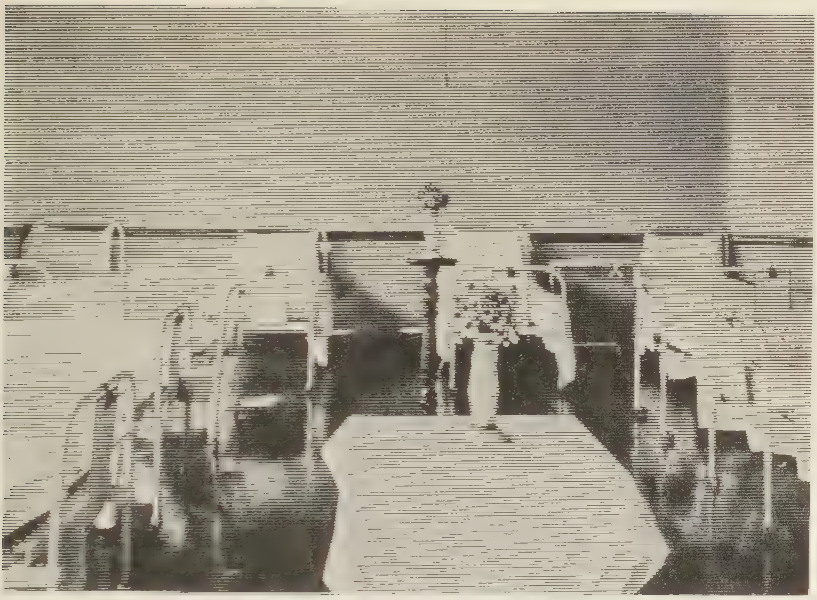
There is another feature of diet which is not so important in relation to the prison diets as to the outside world, but nevertheless is worthy of mention here, and that is, that too great a mixture of foods can only result in too great strain on the digestive organs, and it is far better to make a variation in food in the times of feeding rather than to attempt to feed too varied a meal. In short, it is better to make the meal chiefly of one article of well cooked food than to eat indiscriminately of a small portion of a large number of foods, thus throwing the work of selection and separation upon the several digestive organs and functions, which might better be performed by the kitchen keeper.

It will be seen by the presentation of the dietaries of penal institutions that they are much better than would seem at first thought. Certainly there has been of late a forward movement in the direction of better dietaries for prisoners. There are, however, too many institutions, as well as many features in the dietaries of nearly all institutions, which smack of that remoter past when it was the fashion to construe the word "inferior" of the statute as meaning food of poor quality, ill cooked, and served in a slovenly and uncleanly manner, very often in cells or in dark, damp, unwholesome rooms. The theory was that the object of feeding was simply to keep the prisoner alive and enable him to perform his daily task. But the fact can no longer be ignored that food has an important bearing upon the disposition and character, and in the production of certain physical and psychic phenomena, and that malnutrition is not only a great cause in the production of criminals, but may be a cause of their continuation in crime.

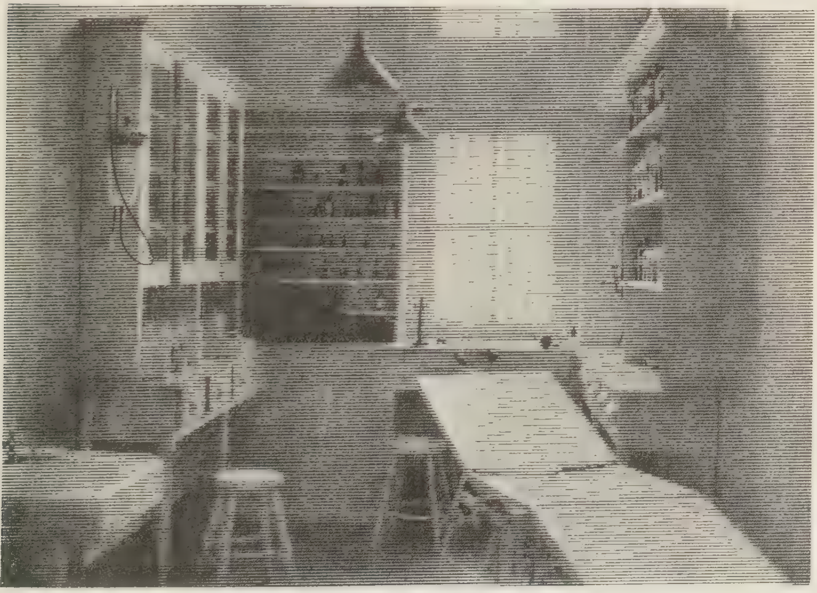
TUBERCULOSIS IN PENAL INSTITUTIONS

The civilized world knows no more imperative problem than that of the prevention and ultimate extinction of the so-called Great White Plague, tuberculosis. And a most important feature of this great problem is the presence of tuberculosis in our institutional life, especially in our penal institutions.

That this latter phase of tuberculosis work has not received the attention that its importance warrants, was made most apparent by the results of a study of the conditions in the prisons of the United States, undertaken by the author in gathering material for making a report on Tuberculosis in Penal Institutions, to the Fifty-eighth Congress of the United States for transmission to the International Prison Congress. It was also emphasized by the further fact, that at the recent International Congress on Tuberculosis held in Washington, D. C., among the multitude of exhibits and all the phases of social and business life there represented as engaged in the work of combating tuberculosis throughout the world, there was but



Fever Ward



Laboratory

Tuberculosis Hospital, Indiana State Reformatory

one exhibit, which in any important particular represented the tuberculosis work in penal institutions; namely, that of Clinton Prison, New York. This was most significant, for notwithstanding the fact that thousands are incarcerated behind prison walls the world over, many of whom are yearly brought to death by tuberculosis, this exhibit alone represented the entire work of freeing the penal institutions from this plague. It seems indeed incomprehensible that so little has been done for our penal population in this direction.

The existence of tuberculosis in our prison populations has long been belittled. There have been no systematic methods of examination, and the tuberculous subject has only been identified when he has reached that far advanced stage where the clinical picture is complete. It is the want of recognition of the disease; it is the indifference of the general public to the conditions which exist in our prisons; it is often the inertia of legislatures and their failure to make suitable appropriations, that are responsible for the neglect of this phase of the tuberculosis work.

There is, perhaps, a feeling on the part of the general public that it is of little consequence to what extent tuberculosis may exist in our prison populations, or indifference as to the effects of the disease upon prisoners. A more fundamental cause of neglect lies in the fact that society is inclined to be selfish in this matter, and to consider that so long as a prison population is isolated, the extinction of the disease in the penal institutions has little to do with the general problem of its extinction in the community at large. This conception of the problem is erroneous, for the real relation which the criminal bears to society is very much more intimate and close than at first would appear. Prison populations are not fixed or constant populations, but rather tidal, having an outgoing as well as an incoming feature.

In the United States alone there are annually discharged upon society upwards of 100,000 prisoners. Of this number, we find, by such statistics and reports as are available, that a very large percentage of those discharged are in some degree infected with tuberculosis. These, upon leaving their respective institutions, become scattered throughout the country; many of them wandering from one place to another, living in sections of large cities where sanitary conditions are favorable to the development of the disease. They are regardless of the care of their person, and often indulge in a feeling of hostility to society. Under such conditions so great a number of infected individuals has in it the power of propagation and spread of the disease to an incalculable degree, and must constitute a menace to the social order unequaled by any other class. We cannot estimate the possibility of infection which this vast army of discharged prisoners may possess; we cannot determine to just what extent they are responsible for the prevalence of the disease in our large cities and towns. It is not therefore alone for the sake of healthy prison populations that we should guard our prisons against this disease, nor for the economic advantage to our prison administration; but it is for the whole population, for all classes and conditions of men.

Penal populations are especially vulnerable to infection by tuberculosis. And while the fact of confinement does not account entirely for the large number of cases, as many are infected when received, there is ample evidence that there is a definite relation between such environment and the development of tuberculosis. The average age of commitment to penal institutions is such that it represents the most vulnerable period in the life of the human to infection by this disease. Add to this fact, the enervating elements in the life of the prisoner, such as the abridgment of liberty, the mental strain consequent upon protracted confinement, the necessary restrictions as to the amount of outdoor life, the moral degradation, the monotony and self-consciousness. That prison populations do become infected and many prisoners succumb to the disease is fully substantiated by a review of the records of some of the prisons of the country. In the prisons of the state of New York, from 1891 to 1895 there was, in the three prisons of that state, a total mortality from tuberculosis of 253 prisoners. At one time 75 per cent of all deaths in the prisons of that state were due to tuberculosis; and a higher percentage has been reached in other states. Recently one prison which prides itself on its special care of tuberculous prisoners, reported that over 77 per cent of the deaths are due to tuberculosis.

From a careful study and estimate of the obtainable statistics, I think we are well within the mark when we estimate that from 16 to 25 per cent of the general prison population, in this country at least, are infected with tuberculosis to a demonstrable degree. At the Elmira Reformatory in the state of New York, Dr. F. L. Christian, the physician in charge, has made extensive examinations with a view to determining the number of infected prisoners, using in his work the more recent tuberculin tests. In all he has examined upward of 2500 inmates. Dr. Christian states that his examinations and the application of these tests show that fully 20 per cent of the

Reformatory population are in some degree infected with tuberculosis. The writer, after twenty years' experience in the examination of a very large number of prisoners, and the use of these tests, finds the results to coincide very closely with those obtained by Dr. Christian.

In all the institutions where fairly well conducted examinations are in progress, the records will show a proportionately larger number of tuberculous subjects than in institutions where less careful methods are employed. It is a lamentable fact, however, that the majority of cases of tuberculosis in prison populations go unrecognized until the disease has made such progress that the sick prisoner has not only lost his best opportunity for treatment and recovery, but has aided in the spread of the infection to other prisoners with whom he has associated. In one instance it is stated that less than three-fourths of one per cent of the prison population is infected with tuberculosis. That such a statement should be made of any prison population, shows the regrettable and threatening status of the whole method of meeting the tuberculosis problem in our penal institutions. This lack of early recognition of the disease is chargeable in a very large measure to the absence of any systematic method of examination and record of incoming prisoners.

In looking for the causative factors which enter into the making of so large a percentage of tuberculosis cases in prisons, we have first to consider the environment from which most of our prisoners come. For in this they have in most cases been exposed to the influences that make for the development of the disease. Not least among these causes, especially in this country, we may place the jail life of the prisoner. It is the universally expressed opinion of those making a study of the jail system of this country, that the jails are often an active and prolific cause of tuberculosis among criminals. Many of our jails are ancient in structure, faulty in their sanitary arrangements, provide no opportunity for exercise in the open air, and have no provision for the isolation or separation of the infected from the uninfected. The food and care of bodily hygiene are in most cases left to the sheriff, whose salary is often dependent upon the per capita coming to him from feeding the jail inmates. The jail prisoner may be said to be especially predisposed to infection of almost any sort, owing to the fact that he is usually depressed and exhausted by reason of the exigencies through which he passes when the law first lays its strong hand upon him and deprives him of his liberty.

In many prisons, also, there exist defects in location, elevation, exposure to sunlight of the buildings used for manufacturing purposes and for housing prisoners, in sewage and drainage arrangements; all of which are most important when viewed from a tuberculosis standpoint. Few of the buildings are so placed that they receive both morning and afternoon sunlight; they are usually insufficiently lighted, and poorly ventilated. These defects are particularly apparent in the arrangement and construction of the cells, which in nearly all of the prisons of today are small and practically impervious to sunlight. In fact, only a small proportion of the prisons are so constructed that the cells have direct sunlight during any portion of the day.

The cell is the home of the prisoner, in which he is housed for some fourteen hours each day. The air and sanitary conditions prevailing here are of the utmost importance when considering the health of the prisoner. In many of the prisons the bucket is the only receptacle for the dejecta of the inmate during the greater part of the twenty-four hours. Opened as frequently as it necessarily must be, with its effluvia escaping into the atmosphere of the small, poorly ventilated cell, a most favorable medium is furnished for the development of all forms of bacterial life. In addition to the usual lack of sunlight, many of the cells are damp, and have practically no renewal of the humid air, which the occupants of such cells breathe over and over again.

Much of the infection that takes place in a prison originates in the cells, although it may originate in almost any part of the institution. A cell may be thoroughly cleaned and whitewashed after its occupation by a tuberculous subject and still be a menace to the health of the next occupant. There is here a serious danger to a prison population in the practice of locking consumptives in cells under ordinary prison conditions, and the futility of hoping to eradicate the disease while these patients occupy cells indiscriminately is obvious.

The use of whitewash as a cleansing and disinfecting agent in the cells is to be deplored, for it has been shown by observation that whitewash really promotes the spread of tuberculosis, or may do so. The fine particles and scales that emanate from dry whitewash when inhaled not only irritate the bronchial mucous membrane, but they may be also carriers of infection to the point irritated. The examination of cell scrapings has demonstrated this. Experiments made with lime burners have also developed the fact that lime dust is particularly favorable to the production of pulmonary tuberculosis.

In most states the labor of the prisoner is performed in shops or factories. These are next in importance to the living quarters of the inmate in connection with the health of the population. In many institutions these shops are dark, damp, and crowded as to floor and air space. The labor the prisoner is engaged in is often of a kind conducive to pulmonary disease by reason of the dust arising from the material with which he is working. In many cases, stone-cutting is one of the principal industries; without great care this may work injury to a large percentage of those engaged in it. The fibre and dust arising from the manufacture of cotton and woolen goods (especially cotton) are injurious when inhaled and cause irritation. Metal working and grinding of all sorts are also occupations in which there is danger of contracting pulmonary disease. The nature of the work and the poor hygienic conditions prevailing in the workshops are therefore largely responsible for a considerable percentage of the causes of tuberculosis in penal institutions.

Another most important factor is in the early life history of the criminal and its relation to "heredity" and predisposition. Although the question of "heredity" is yet an open one, and it is now the general belief that tuberculosis is not often an inherited disease, it is none the less true that weakness of constitution which renders the person susceptible to infection may be inherited. Undoubtedly the stress and strain consequent upon the lives of this class of men may induce infection.

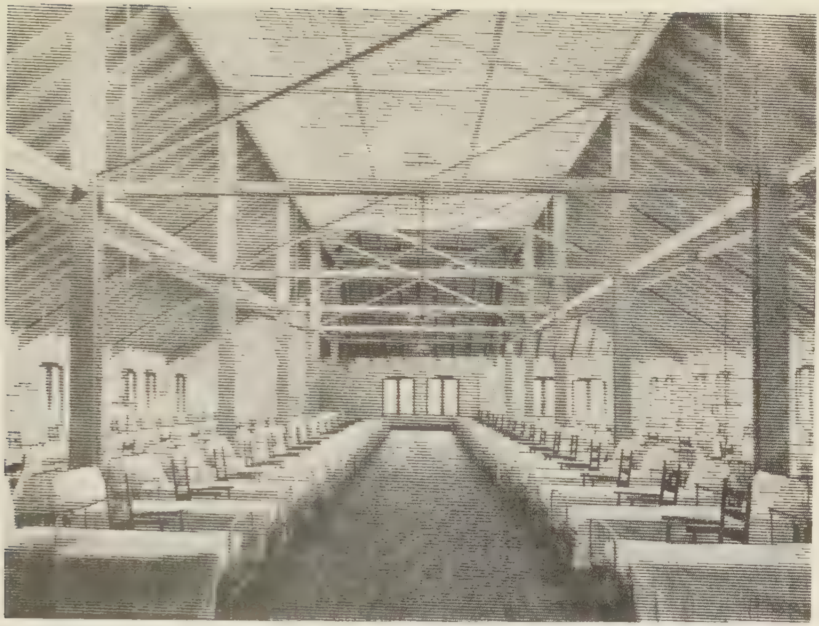
The discipline of the prison with its deprivation of liberty and restriction as to freedom of action and speech, gives an added depression of thought and mind that is detrimental to the inmate. Solitary confinement, in dark or light cells, with its usual accompaniment of low diet, which is almost universally adopted as a punishment, may easily wreak much injury on the man punished. The dark cell is particularly to be feared in this respect. To a man suffering already from the effect of confinement, the additional depression of mind and body consequent upon the deprivation of light and food, and often the lack of adequate air, may render active any latent infection, or establish such a condition of ill health as may render him most susceptible to infection.

There are many incidents of prison life which might either contribute, or become, potential factors in the inception or development of tuberculosis, but space will not permit us to enter this field in greater detail. We must confine ourselves to the general outlying principles through which the disease has gained such a hold. That such a hold has been gained, we believe has been fully established. It now, therefore, remains to find a remedy or to adopt measures calculated to first prevent infection, and then restore to the infected prisoner such a degree of health as is possible, and fit him so far as can be for usefulness when he leaves the prison.

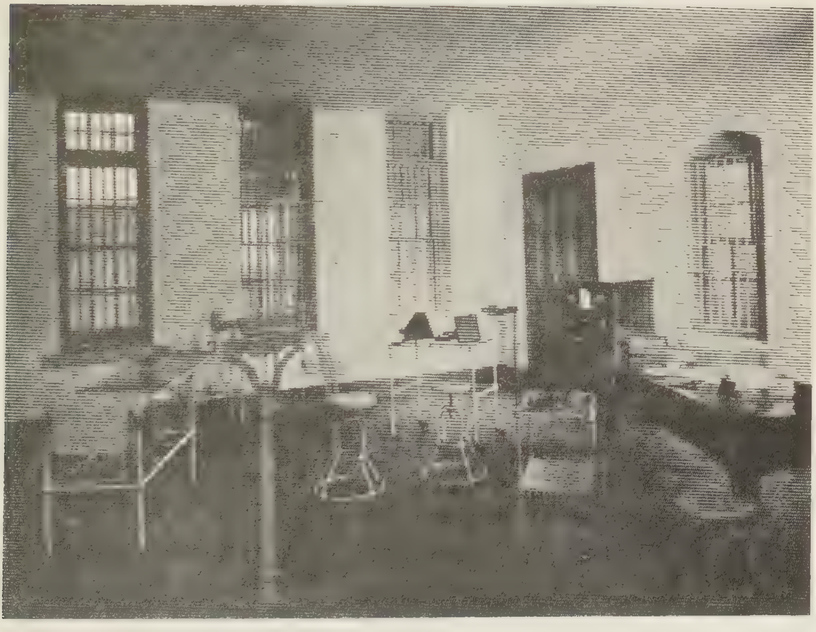
The case is not so hopeless as might at first appear. In fact, from the results already obtained, where systematic and thorough measures have been adopted, similar to those used in outside communities, they have proved their effectiveness in lessening the death rate, and in many cases restoring individual prisoners to practically their former health. In addition to this there is imparted to these men a knowledge of how to care for themselves, thus rendering them less of a menace to the general public.

As physician in charge at Clinton Prison, Dannemora, New York, since 1889, the writer has had exceptional opportunities to observe the working of these measures which clearly demonstrate that tuberculosis in prison populations may be effectively checked and diminished. We have now in Clinton Prison a well equipped tuberculosis hospital, with two separate wards or pavilions to which tuberculous inmates of the three prisons in the state of New York, Sing Sing, Auburn and Clinton, are transferred for treatment. A large ward, accommodating 107 patients, is for the treatment of incipient cases, a small ward with a capacity of 47 patients is for those whose cases are in the more advanced stage. The main ward is 70 x 150 feet, having a high vaulted roof with a clerestory extending upwards to a distance of 55 feet, thus affording large light and air space. This clerestory is entirely set with windows opening and closing by a mechanical device. The entire ward is also windowed as closely as safe architecture will permit. It has a hard wood floor, waxed and polished, is lighted by electricity, and heated by steam. It is cheerful, light and airy, and admirably meets the purpose for which it was designed. Each patient has a white enamelled iron bed furnished with woven wire springs, fibre mattress, hair filled pillow, sheets, woolen blankets and counterpane. At the side of each bed is a white enamelled steel bedside table, with glass top and steel shelf, while at the foot is a comfortable arm-chair. Each patient is supplied with a porcelain lined drinking cup and a copper sputum cup. The ward devoted to the treatment of more advanced cases is similar in most particulars.

A diet kitchen equipped with all modern conveniences is attached to the hospital, and is an important feature in this work.



Ward Six



Examining Room

Tuberculosis Hospital, Clinton Prison, New York

The food, which consists of a generous mixed diet, in which proteids such as fresh meats and eggs predominate, is served in a dining room adjoining the main ward. All patients receive milk daily, and, in cases requiring it, special diet by order of the physician. Connected with the hospital are examining, treatment and operating rooms and laboratory. There is also a library of 1100 volumes furnished for the exclusive use of the tuberculosis patients.

Modern outdoor treatment is applied; the patients spending the whole of the prison day out of doors in a special enclosure, and sleeping at night with the windows of the pavilion open, thus spending practically the whole twenty-four hours in the open air. In addition to the usual medicinal treatment, ultra-violet *x*-ray and incandescent electric light treatment are used.

On receipt of a tuberculous subject, he is given a special examination, including one of the tuberculin tests, and microscopic examination is made of his sputum, blood, and urine, and careful record is kept of his condition. He is placed in the tuberculosis hospital and kept entirely separate from the prison population proper. When the patient is apparently cured, or the disease is arrested, he is placed at light labor until he is discharged from the prison.

This work has already shown gratifying results. As before stated, in the five years from 1891 to 1895, prior to the establishment of this special tuberculosis hospital, there were 253 deaths from tuberculosis in the population of the three prisons of the state of New York; in the five years from 1903 to 1908 there were but 73 deaths from the disease in these same institutions, a reduction of 71 per cent in the mortality.

The following figures will give some idea of the results obtained in Clinton Prison:

The total number of cases treated from the inception of the work until October 1, 1909, was 1955. During the six years from 1904 to 1909 inclusive, 806 cases were received; of these 638 were discharged from prison. Of the total number discharged 23 per cent were apparently cured, in 26 per cent the disease was arrested and in 39 per cent improved. The average percentage of death in the entire tuberculous population was .0183.

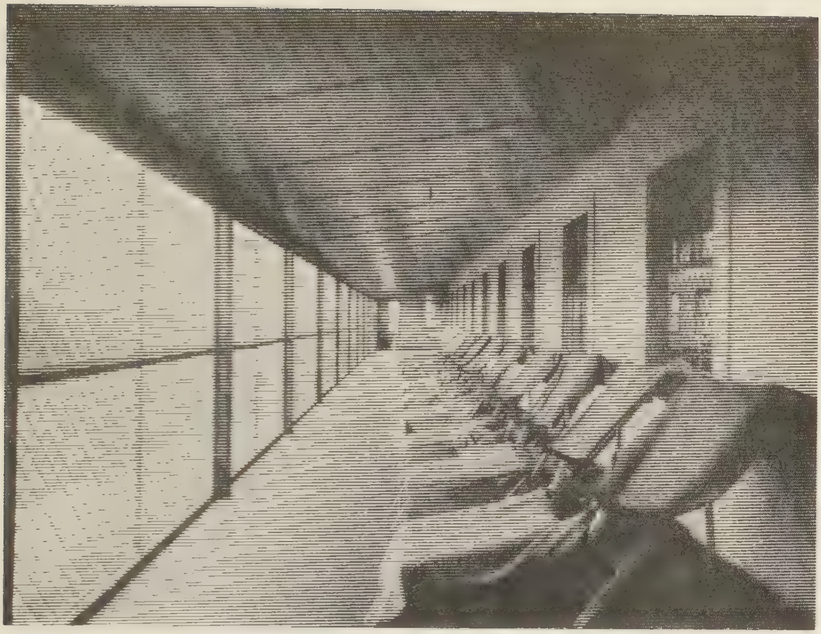
These figures are, of course, applied to a varied tuberculosis population; that is, the patients represent all stages of the disease, many of them being advanced or far advanced when received for treatment. It is gratifying indeed that so great a change could be made in the death rate of the prisons of the state of New York; but it is still more gratifying that so many men could be restored to a degree of health permitting them to earn their own living, who otherwise might have become public charges; to say nothing of the human suffering lessened, and the very considerable decrease of the danger of infection to the outside communities.

What has been brought about in the state of New York can be accomplished or excelled in other states or countries. In fact, we believe that better work can be done in the eradication of tuberculosis in penal populations than in many other kinds of populations. Although this may appear paradoxical, it is essentially true, for one of the greatest factors in the curing of tuberculosis is the control of the patient by his physician and others who have his case in charge, and this desirable feature obtains in a very large degree in prison life.

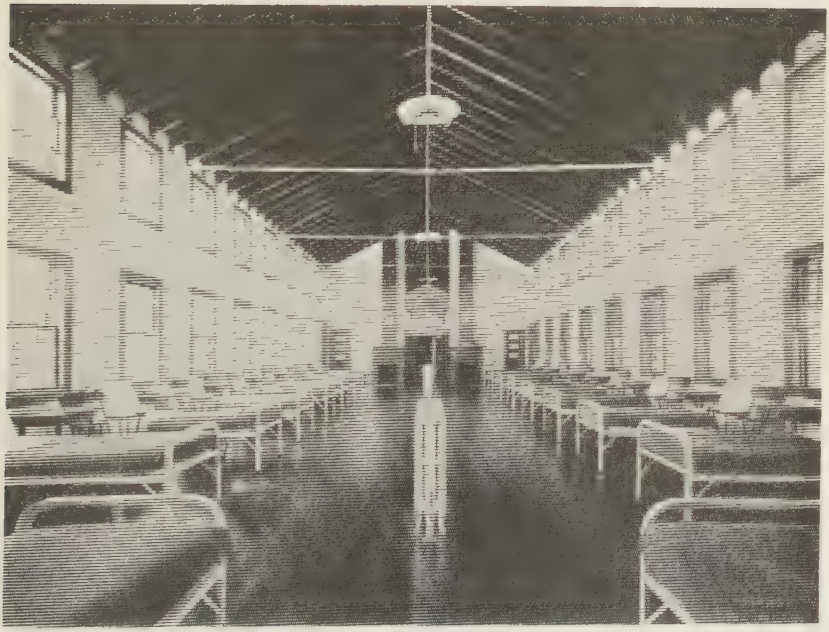
The measures adopted in the prisons of other states, as shown by the directory published by the National Association for the Study and Prevention of Tuberculosis, and other sources, while they indicate that the importance of special methods in treating tuberculous prisoners is becoming recognized, also show that there are still many institutions where there is too little being done in this direction.

There are, however, a number of institutions doing excellent work, as for instance the Wynne Farm at Huntsville, Texas, which is one of the best equipped examples of efficient and modern methods for caring for the tuberculous prisoner. It is situated on high, well drained ground, and is conducted under the supervision of the prison officials of the state of Texas. Prisoners suffering from tuberculosis in all jails and other penal institutions are transferred to the farm immediately the disease is recognized. Open air treatment is practiced, together with forced feeding. Employment is provided for the men in light gardening and farm work, poultry and stock raising. The results in this instance have amply justified the establishment of the institution, a reduction in the mortality from tuberculosis in the prisons of the state of Texas of over 50 per cent having been achieved.

Massachusetts has established a hospital and camp at West Rutland, with a capacity of 40. This camp, opened in September, 1907, is the beginning of a systematic attempt on the part of the state to segregate all of its tuberculous prisoners in one place. It has an elevation of 1000 feet, and the buildings, which are of modern type, will be enlarged to accommodate 100. All prisoners from any state



Veranda for Tuberculosis Patients



Ward, Showing Separate Rooms at the Rear

Hospital for Tuberculous Prisoners, Rutland, Massachusetts

prison in the state are transferred to this camp as soon as their cases are diagnosed as tuberculosis.

At the South Carolina penitentiary at Columbia a special hospital with a capacity of 50 was opened in 1907. The building is one of the best equipped prison hospitals in the country. It cost $10,000 and is of brick, 80 feet by 40 feet, two stories high, and the roof, which is protected by a railing, is used for lounging purposes during good weather. The two main floors are practically the same, each being provided with six large elliptic windows with fourteen-foot spans and fifteen feet high, and so placed as to let in abundance of sunlight throughout the day. The prevailing idea is to provide the patients with the greatest quantities of sunlight and fresh air.

At Stillwater, Minnesota, state prison a separate hospital annex is maintained for the treatment of tuberculosis cases. The patients are given a better and more varied diet than the other prisoners and also out-of-door treatment apart from their fellows.

The Richmond, Virginia, penitentiary has established a farm sanitarium about thirty miles from the city, where the tuberculous inmates are sent for treatment. Here they are treated in tents and specially constructed cottages. Those who are able are required to do light work about the farm.

In connection with the United States Penitentiary at Atlanta, Georgia, a small camp, located within the prison walls, has been in operation since 1906. Separate tents are provided for each prisoner and special attention is given to diet and exercise.

At Milledgeville, Georgia, prison the tuberculosis hospital is situated in the centre of a 3000 acre farm. The equipment consists of a tent accommodating 16, and a well ventilated building with a capacity of 34. Convalescent patients assist in the farming. Special attention is given to diet.

At the Jeffersonville, Indiana, reformatory tuberculosis patients are cared for in the open air, on a roof garden on top of the institution hospital, about forty feet from the ground. During favorable weather they live continually in the open air night and day. In the winter and spring months they spend the day on the roof and sleep in an open air ward in the hospital at night.

Connected with the prison at Manila, P. I., is the only hospital exclusively for the treatment of tuberculosis in the Philippine Islands. It has a capacity of 200 and its patients are selected from the 3500 kept at the Insular Prisons.

Special tuberculosis wards are used in the state prisons at

Waupun, Wisconsin; Trenton, New Jersey; Nashville, Tennessee; Michigan City, Indiana; Wethersfield, Connecticut; Santa Fé, New Mexico; the Pontiac, Illinois, Reformatory; the Ionia, Michigan, Reformatory; the Virginia Reform School; the House of Correction, Deer Island, Massachusetts; and the New Castle County Workhouse, Del.

Other institutions in which special treatment, light open air work, and other excellent measures have been adopted are the institutions at St. Cloud, Minnesota; Sherborn, Massachusetts; Napanoch, New York; Preston, Pennsylvania; The Women's Prison, Indianapolis, Indiana; Elmira, New York; House of Correction, Detroit Michigan. At the prisons at Chester, Illinois; Howard, Rhode Island; Leavenworth, Kan.; Jefferson City, Mo., and other places, partial measures, that are more or less effective, are in use. It is the custom in the prisons at Windsor, Virginia, and Green Bay, Wisconsin, to pardon prisoners suffering from tuberculosis, a procedure with which we are not in sympathy, for in nearly all cases where such action is taken they are not pardoned until the disease is far advanced, and the patient if discharged becomes a menace to the outside community.

When we review the history of the tuberculosis work in the prisons of the United States, it is certainly encouraging, for when the writer in 1889 began to investigate the relation that tuberculosis bore to prison populations he could not find a single instance where separate care or special measures had been thought of. Notwithstanding this gratifying progress, the necessity for further organization of precautionary and preventive methods to successfully deal with the problems of tuberculosis in prison populations is apparent. The actual work undertaken is still in its infancy and leaves much room for development to the stage where it will be thoroughly effective. In our opinion, a prerequisite to any effective measures which may be undertaken to put the work on a more progressive footing, is the passage of mandatory laws providing that every penal institution, of whatsoever nature, shall make examination and record of every admission to the institution with a view to detecting at the earliest possible date the presence of tuberculosis. A careful record should be made, either upon a card or a properly printed blank, and this record should accompany the commitment papers. It should be as complete as possible and should contain all the essential facts as to the patient's history, antecedents, and any other facts calculated to throw light on the disease and render his after-treatment an intelligent proceeding. The object of such a law is to bring the whole

Exercise Court, Tuberculosis Hospital, Auburn Prison, New York

convicted criminal class under its workings, to the end if possible, of preventing the spread of tuberculosis from one prison to another.

This primary feature of definite tuberculosis work in connection with penal populations is most important in that it identifies immediately the tuberculous prisoner; and early identification is an essential thing, as it insures, with proper facilities for this purpose, prompt isolation from the uninfected and the treatment and care necessary to effect a cure or arrest the disease.

The means necessary to secure the best possible results in this work may be briefly summarized as follows:

(1) The examination and record of every admission to penal institutions.

(2) Improved housing and working environment of the prisoner.

(3) The absolute separation from the prison population proper of all tuberculous subjects.

(4) The recognition of the prisoner's receptivity to infection.

(5) Special wards for the treatment of all active cases, and open air courts for exercise, etc.

(6) The establishment in every state of a special hospital or sanatorium for the transfer of all tuberculosis cases from all penal institutions.

It is coming to be recognized by nearly all those engaged in prison work that not only are these things necessary to the prevention and cure of a special disease, but they are essential to a sound and satisfactory penal administration; for it cannot be said that the presence in an institution of a population afflicted in any degree with a communicable disease, which impairs the usefulness of so many inmates, is compatible with a prosperous and economic administration.

This Congress will have accomplished no small thing, if through its efforts and influence there may be awakened in the minds of penologists and the general public, a sense of the imperative necessity for the arrest and control of tuberculosis in penal institutions.

STERILIZATION OF CRIMINALS

One of the most noteworthy innovations in the field of criminology is the so-called sterilization of certain types of criminals. Little can be said upon this subject from a historical point of view, because of the recent date at which this procedure has become a recognized feature of penological work, and the author approaches the subject with a feeling of uncertainty as to just how valuable anything that can be said at this early date may prove to be.

Sterilization is effected by an operation known as vasectomy. Vasectomy was first practised as an operation for the relief of prostatic disease in lieu of castration. The use of this operation for the purpose of sterilization was substituted for castration, which had been advocated for a number of years by those believing in the right of society to protect itself against the propagation of defectives by interfering with the procreative function.

Castration has been practiced in isolated cases for a number of years as a means of sterilization, and in one instance, in an institution in the state of Kansas for feeble-minded and defectives, forty-eight operations were performed upon feeble-minded boys as to the results of which no record is obtainable. Castration has generally been considered too serious an operation, producing, as it does, slowness of intellect, lessening the powers of endurance and bringing about a depression of spirits and moroseness of disposition, that make it inadmissible. There has been ample opportunity to study the effects of castration as practiced by the ancients upon the human male, and such investigation shows that the eunuch is never again normal in temperament or feeling.

The operation of vasectomy as hereinafter described is said to eliminate most of the objectionable features of the operation of castration and accomplishes the result desired. It was first practiced, so far as I am able to learn, as a means of sterilizing the criminal, by Dr. Harry C. Sharp of Indianapolis, Indiana, formerly physician at Jeffersonville Reformatory, Indiana, and I feel I cannot do better than quote an extract from Dr. Sharp's paper on Vasectomy, read before the American Medical Association, at Atlantic City, June, 1909.

"Since October, 1899, I have been performing an operation known as vasectomy, which consists of ligating and resecting a small portion of the vas deferens. This operation is indeed very simple and easy to perform. I do it without administering an anesthetic either general or local. It requires about three minutes' time to perform the operation and the subject returns to his work immediately, suffering no inconvenience, and is in no way impaired for the pursuit of life, liberty, and happiness, but is effectively sterilized. I have been doing this operation for over nine years. I have 456 cases that have afforded splendid opportunity for post operative observation and I have never seen any unfavorable symptom.

There is no atrophy of the testicle, there is no cystic degeneration following, but on the contrary, the patient becomes of a more sunny disposition, brighter of intellect, ceases excess-masturbation, and advises his fellows to submit to the operation for their own good. And here is where this method of preventing procreation is so infinitely superior to all others proposed—that it is endorsed by the subjected persons. All the other methods proposed place restrictions and, therefore, punishment upon the subject; this method absolutely does not. There is no expense to the state, no sorrow or shame to the friends of the individual as there is bound to be in the carrying out of the segregation idea.

"There is a law providing for the sterilization of defectives in effect in Indiana and it is being carried out in the Indiana Reformatory. I regret very much that it is not being followed up in the other institutions of the state, but there is no doubt that it will come in a very short time.

"After observing nearly five hundred males in whom I had severed the vas deferens I am prepared to state that there is not only a diminution of the muscular and nervous fatigue resulting from muscular exertion, but also a lessening of fatigue sensation and a decided increase of energy and well being. I have observed splendid results in cases of neurasthenia."

If my information is correct, there have been over 800 persons subjected to this operation, 200 of this number at their own request, and the results in all cases are said to have been good. As a result of Dr. Sharp's experimental operations the legislature of Indiana, in March, 1909, passed a bill, the text of which follows, giving legal status to the operation:

Preamble.—*Whereas*, heredity plays a most important part in the transmission of crime, idiocy and imbecility:

Therefore, Be it enacted by the General Assembly of the state of Indiana, that on and after the passage of this act it shall be compulsory for each and every institution in the state, entrusted with the care of confirmed criminals, idiots, rapists and imbeciles, to appoint upon its staff, in addition to the regular institutional physician, two skilled surgeons of recognized ability, whose duty it shall be, in conjunction with the chief physician of the institution, to examine the mental and physical condition of such inmates as are recommended by the institutional physician and board of managers. If, in the judgment of this committee of experts and the board of managers, procreation is inadvisable and there is no probability of improvement of the mental condition of the inmate, it shall be lawful for the surgeons to perform such operation for the prevention of procreation as shall be decided safest and most effective. But this operation shall not be performed except in cases that have been pronounced unimprovable.

The state of Oregon in 1909 enacted a similar law, and California and Connecticut have also passed laws to this effect. In the early part of 1909, the General Assembly of the state of Illinois was asked to pass a bill legalizing the sterilization of criminals of certain types, and although this bill was endorsed by the Chicago Medical Society, the Physicians' Club, Chicago, and the South Side Medical Society, it failed to become a law. This subject has also been agitated in other states and has been a topic of discussion in many organizations interested in penological and medical matters.

It will be seen by the work already done, and the number of states that have passed the law legalizing the sterilization of criminals, that it has passed beyond the speculative and theoretical stage and has become an important feature in modern criminology.

The advocates of the sterilization of criminals after the manner indicated justify the operation and assert its necessity as follows:

(1) The fact of the great number of public charges recruited from the defective classes.

(2) That defects physical and mental are transmitted to the offspring.

(3) That, if a defective marries a defective, the children will inherit the stigmata of both parents, and be of a more defective type still. The natural tendency is for the abnormal to mate with the abnormal, consequently defectives are rapidly increasing in number as well as becoming more pronounced in type.

(4) That a large number of this class fail to respond to moral or intellectual influences, are lacking in self-restraint and inhibitory power, and while they may have full knowledge of the nature of an offense and comprehend that it is morally wrong, still have not the will power to resist the impulse to commit the act.

(5) That this class of persons is prolific, as they know no law of self-restraint, and refuse to take into consideration their ability to care for their offspring. It is also claimed that these ranks are recruited from those suffering from nervous, mental or physical disease, including in this class the children of syphilitics and of victims of alcoholic and drug habits or immoral excesses.

(6) That the restriction of propagation is necessary for the relief of this condition. It is observed that the moral force of an educated public opinion or law, opposed to the marriage of defec-

tives, cannot prevent the propagation of defective offspring, for while there might be fewer marriages of this type, sexual intercourse would not be discontinued, the procreation would not be prevented to any appreciable degree, and the offspring would be illegitimate as well as defective. Laws have been made in various states to restrict the marriage of defectives. In Minnesota no woman under the age of forty-five years, or a man of any age, except he marry a woman over forty-five years of age, either of whom is epileptic, imbecile, feeble-minded or afflicted with insanity, may intermarry or marry any other person. Michigan, Delaware, Connecticut, Indiana, New Jersey and North Dakota, have also passed such laws, but they have not proved satisfactory or effective and do not furnish the remedy for the evil.

(7) That the absolute segregation in colonies and industrial refuges of so great a number of existing defectives would necessitate the expenditure of enormous sums of money.

Mr. Henry M. Boies in his book, Prisoners and Paupers, gave voice to much the same line of reasoning in support of castration for defectives which applies equally to vasectomy. We quote from Mr. Boies, as follows:

"By carefully providing for its degenerates and abnormals in comfortable prisons, asylums, and almshouses, giving them the advantages of the highest knowledge and science of living, society unwittingly aggravates the evil it seeks to alleviate. It maintains alive those who would perish without its aid. It permits their reproduction and multiplication. It fosters, with more attention than it gives its better types, the establishment and increase of an abnormal and defective class. It not only perpetuates by care, but encourages, by permitting unrestricted 'breeding in' among them, the unnatural spread and growth of a social gangrene of fatal tendencies. It is assuming oppressive and alarming proportions, which begin to be felt in the whole social organization. In terror our advancing civilization begins to inquire if there be no way of counteraction consistent with its highest benevolence, by which this abnormality of abnormalism may be avoided, criminality and pauperism restored to natural proportions, or to that ratio of increase which may be the inevitable result of ignorance and excess in living.

"The abnormal does not want children, has no affection for them, and gets rid of them as soon as possible if they come. If this were not so, their offspring, being abnormal, weak, sickly, diseased, deformed, idiotic, insane, or criminal, doomed to a burdensome and suffering existence or an early death, are a curse rather than a comfort to their parents; so that in no sense could the deprivation of these organs inflict injury or damage to criminal or pauper. On the contrary, they would be enabled thereby to enjoy many comforts and privileges, and be relieved from many restraints at present necessarily imposed upon them. The range of their enjoyments would, in fact, be greatly enlarged, both in confinement and at liberty. Many indeed might be allowed freedom who are now closely confined.

"The remedy we suggest would certainly be effectual, an immeasurable benefit to the human race, the exercise of an inherent right which really injures none, and moreover, it appears to have become an imperative duty which society owes to its own preservation, which may not be neglected without actual sin.

"Society arrests and confines the leper, the victim of smallpox, yellow-fever, cholera, or typhoid, and treats them according to its own will, with or against their consent. It does not hesitate to remove a gangrened limb, a diseased organ, from a person, if it be necessary; it shuts up the insane, the imbecile, the criminal, for the public protection; it inflicts punishments of various degrees; compels men to labor without pay, for its good, in durance; even deprives them of life, if it pleases; assumes arbitrary control of the life, liberty, and happiness of an individual, if it considers it necessary for the public welfare; and no reasonable being questions its right or duty to do these things. At the same time it allows its deformed and diseased in mind and body, and soul, to disseminate social leprosy and cancer with impunity, while the skill of its surgeons could prevent the infection by an operation almost as simple as vaccination. It seems inexplicable that the remedy should have been so long delayed."

On the other hand, it is claimed by the opponents of this method:

(1) That the right to procreate and propagate the species is an inherent one, identical with life itself, and which to abrogate is to do violence to a God-given natural right, which no constitution, government, or law may rightly and safely take away; and while the law may provide for the taking of life for life in defense of community life, no law can be rightfully enacted to curtail the right of the individual to reproduce.

(2) That most scientists believe to day that environment has more influence on offspring than heredity, and that heredity can only transmit the natural and not the acquired habits of the parent. In fact, it is contended that heredity is always and can only be the result

of environment, though that environmental influence may date back to a remote time.

(3) It is admitted that in certain family groups, defectives may for a time appear to be the progeny of defectives, and though there are instances of criminals producing criminals through lineal descent, yet as a whole the defective is frequently found to be the offspring of progressive, cultured and educated parents. That if careful review be made of the genealogy of the average family, there would be found various types of the defective. It is urged, that if this were not true, there would be no such thing as progression and retrogression of families, for according to the claims of the advocates of sterilization degeneracy through intermarriage would not be likely to occur as only similar in type marry.

(4) That you cannot cure the trouble by lopping off the defective branches, but must go to the root of the evil. That these evils can only be eradicated by improved living conditions and the process of regeneration of the social fabric cannot be one of destruction, but must be one of upbuilding.

(5) That if vasectomy has the physiologic effect described by its advocates, namely, that it in no sense abrogates the sexual appetite or powers, it will tend to increase prostitution and immorality, by removing the safeguard which propagation of the species has thrown about the human, and will result in an increase of licentious and beastly living, nor will it have any lasting effect upon the rapist. Further than this, that the so-called defective, as so treated, must still be provided for, and really nothing has been accomplished for the benefit of the present generation.

(6) That the subtle laws of heredity and procreation are not yet well enough understood to enable society to elect the persons best suited to propagate the race. That the function of man is not to interfere with those natural processes established by creative power, but rather to develop his higher faculties, which will eventually mould and shape his moral and physical type.

(7) That anything which interferes with or attempts to improve the type, by destruction of offspring such as was practiced by the Greeks and Romans, in slaying their feeble infants, will only result in racial and national retrogression as was the case with the Greeks and Romans.

(8) That there is no normal standard by which a defective or unfit person can be judged or to which he can be compared, and the question is asked, Where is the condemnation process to begin and

end, who is to judge as to who the defective is, and what constitutes a defect warranting the operation?

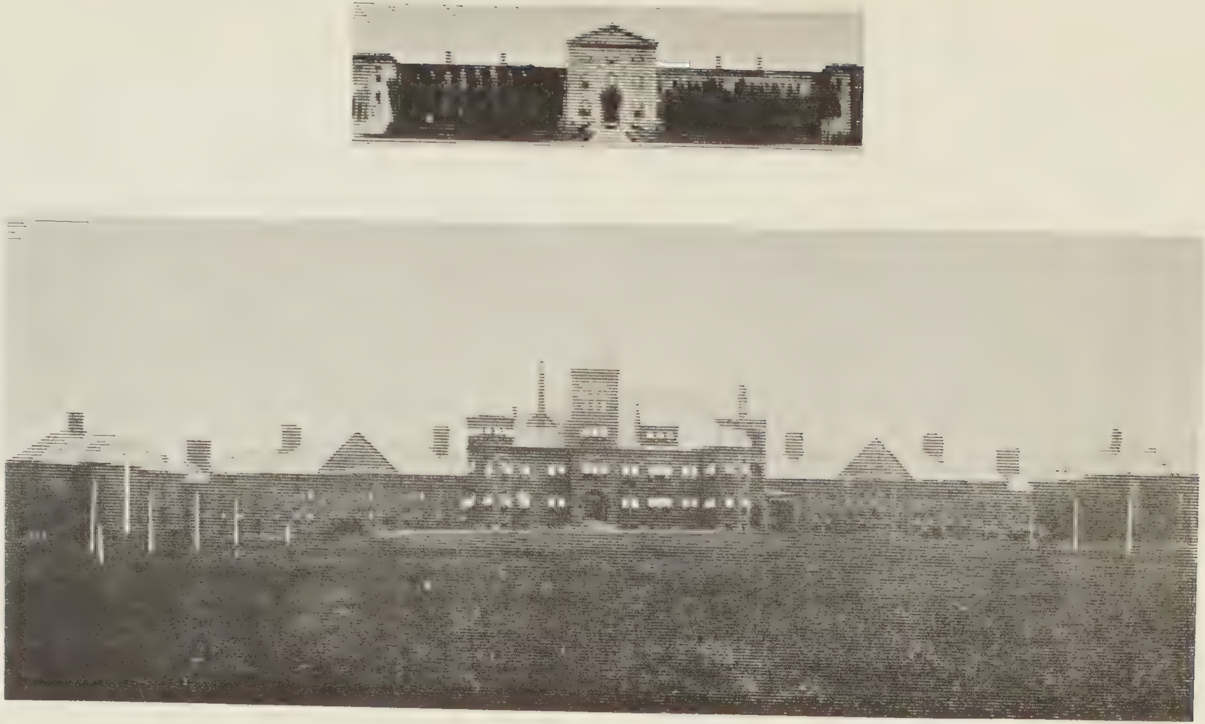
(9) It is denied that the limiting of propagation is the only means by which the evil of the defective criminal can be eliminated, and the contention is made that the habitual criminal is not prolific as to offspring and only properly cared for when he is imprisoned for life,—that by this method procreation on his part is certainly prevented, and society protected from his depredations.

(10) Further, that the problem of the habitual criminal and defective is not as appalling as at first might appear, any more than were the horoscopes of Malthus correct in their estimates of industrial and social conditions.

The writer in his desire to avoid controversy and the expression of an opinion has thus simply set forth such facts and expressed opinions as he has been able to gather from the sources at his command.

It will be seen that the principles involved are important ones and the practical application of these methods too recent, and fraught with consequences too momentous in their effect upon the individual, the community, and ultimately the human race, to permit of hasty decision or careless interpretation.

It should not, therefore, be left to the province of desultory discussion, but calls for the appointment by this Congress of a competent commission to give extended and exhaustive study to the whole subject, with a view to settling the question to the best interest of society at large.



Matteawan State Hospital, Matteawan, New York
Old and new buildings, showing relative sizes

II. THE CRIMINAL INSANE IN THE UNITED STATES

By ROBERT B. LAMB, M.D.
Medical Superintendent, New York State Hospital, Matteawan

THE separation of the criminal insane from the civil insane, and their recognition as a distinct social class, so far as is known, first had its origin in the United States something over fifty years ago. The whole movement may be said to be in a transitional stage, with its ultimate development not clearly defined.

Up to the year 1859 the criminal insane, in case of commitment, were sent to institutions for the civil insane—a procedure still in force in many parts of the country, and which yearly arouses vigorous complaint on the part of the management of the civil hospitals, as well as strenuous protests from the friends and families of patients civilly committed, who object to the confinement of this dangerous class in the same institution with those who have never shown offensive tendencies.

In the organization of a separate institution for the housing of the criminal insane, wholly apart from either prison or civil hospital, the state of New York led in the United States, and, so far as we have ascertained, in the entire world. The early movement had its origin outside of penological lines. A review of its early history clearly shows that then, as now, the management of the civil institutions for the insane were much annoyed by the general turbulence of the insane criminals committed to their care, and by their constant tendencies to escape from custody. The civil hospital directors, while recognizing the need for the care and treatment of the criminal cases, were loath to receive them in the institutions under their management. The establishment of separate care was really an effort on the directors' part to make lighter their own labors and anxieties.

Through their efforts in New York a separate institution for the criminal insane was established and opened for the reception of patients on February 2, 1859, and it has continued in highly successful operation to the present date. The parent institution (Matteawan State Hospital) has been divided into two parts, a second and smaller institution for the convict insane (Dannemora State Hospital) now taking up the work originally planned for the old institution, while the parent institution assumes a new work in the matter of caring for unconvicted cases committed directly by the courts, a class which was not considered at the time of the founding of the first institution.

Since New York was the pioneer, her institutions are taken as the American standard for the care of this class of patients, all other institutions for the criminal insane being developed on the New York system or some modification of it. When the first "asylum," as it was then called, was opened at Auburn, its title was the State Asylum for Insane Convicts. The patients were wholly of the felon class, whose mental derangement was first observed while undergoing sentence. They were transferred to the asylum by order of the prison warden or superintendent, the prison physician first having certified to their insanity. Their residence in the asylum had no bearing whatever on the length of their sentence, since they served time in the asylum under exactly the same conditions as in prison, and subject to the same rules and allowances for good conduct. While at the first glance this might seem unfair, it must be recalled that the asylum officers who regulated time allowance were trained medical men, and that in all cases they were perfectly competent to say whether or not the general conduct of a patient in the asylum proved mental disease, and to recommend the granting or withholding of allowances accordingly.

This procedure, both as to commitment and time regulation, was in active force up to the year 1896, when a change in the commitment process was made. Under the new law (1896) the prison physician certified to the warden that a certain prisoner, in his opinion, was insane. The warden, instead of ordering his transfer to an asylum, as formerly, applied to the court for the appointment of two lunacy examiners, neither of whom could have any relation with either institution concerned in the committing process. If these examiners deemed the prisoner insane, they so certified, whereupon the judge made an order transferring the alleged lunatic from prison to asylum. In brief, the court replaced the prison authorities in adjudicating the lunacy of a prisoner. In theory the new law was ideal in safeguarding the lunatic's interests. In actual practice, however, the revised procedure yielded less satisfactory results than the original one, which four years later was reverted to and which now stands as at the time of its first enactment.

The law governing the regulation of time allowance for lunatic convicts has stood from its inception, with little or no complaint that it failed in its purpose or that its intelligent application to lunatics was in any sense unjust.

Ten years after the opening of the Auburn asylum for the convict insane its scope was considerably enlarged, a statute passed in 1869 empowering the courts to commit thereto any person brought before them charged with the crime of "arson, murder or attempt at murder, who shall have escaped indictment or shall have been acquitted on the ground of insanity." By the same law the title of the institution was changed from State Asylum for Insane Convicts to the State Asylum for Insane Criminals — the latter title continuing in use until 1892, when the Auburn site and buildings, because of their insufficient size, were abandoned, the patients and employes being transferred to the new location at Matteawan. The year following (1893) the title of the institution was changed to the Matteawan State Hospital, this designation holding at the present date, with little likelihood of further alteration. Thirty years after its founding its population was only 250. In the next three years this number had doubled, in five years it had trebled, and the need for a second institution became apparent. Its construction was commenced, and in 1900 the convict insane of the felon class at Matteawan were transferred to the newly erected hospital at Dannemora, New York. Their removal left at Matteawan two distinct classes of patients. First, those committed by the courts directly and not convicts. Second, those who were transferred from various penal institutions, having been convicted of various misdemeanors. By legal enactment in 1904 these two classes were supplemented by a third class, which includes all patients who have criminal histories and who are apprehended and committed as civil lunatics, their original commitment being to an institution for the civil insane, their transfer to Matteawan State Hospital and reception there being accomplished by the issuance by the State Commission in Lunacy of an order of transfer. By virtue of this the patient is received at Matteawan and there treated until recovery takes place or he is otherwise discharged by legal process.

In addition to these three classes, a fourth class may be mentioned. This includes all misdemeanor cases originally under sentence, whose terms of sentence have expired, but who have not recovered their reason. These are held until recovery shall take place or until they shall be otherwise discharged.

The state of New York then maintains her criminal insane as follows: First, the convict (felon) class of the mentally deranged who are held at the Dannemora State Hospital until their sentences expire, whereupon, if not recovered, they are re-committed by judicial process. Second, at Matteawan, (a) cases committed by the courts direct; (b) misdemeanant cases transferred from penal institutions; (c) criminal cases transferred from civil hospitals; (d) time expired misdemeanant cases.

In Massachusetts a modification of the New York system is in vogue. In the year 1864 an appropriation was asked of the legislature to establish on the lands of the Tewksbury almshouse an asylum for the chronic and harmless insane. This was obtained. At the same time the advocates of an establishment for the insane of the criminal class urged an additional appropriation for the establishment of a receptacle for insane criminals at the same place and in connection with the chronic asylum. This plan met with great opposition from the projectors of the chronic asylum. Not that they were opposed to some provision which should relieve the hospitals of the insane criminals, as far as could be learned, but that they objected to the plan of connecting it with the asylum for the chronic insane at Tewksbury. However, a bill was passed authorizing an additional appropriation for the establishment of the said receptacle in connection with the asylum at Tewksbury, but the opponents to this measure appear to have done more effectual work after the passage of the act than before, for the asylum for chronic insane at Tewksbury was established, and that for insane criminals was not. Two years were suffered to elapse without drawing upon the appropriation designated for the building of the receptacle for insane criminals and, according to the statute law, the act in consequence became void. This is cited to show that more than forty years ago there existed in the state of Massachusetts a distinct sentiment demanding the separation of the criminal and non-criminal insane.

From time to time since 1864 the subject of separate provision for the criminal insane in Massachusetts has been recurring and has been very forcibly presented on many occasions. At one time the state board of lunacy and charity were requested by the legislature to make report upon the subject. The board of lunacy, as well as the managers of the hospitals, had plans to propose. But when the subject came to the point of legislation, there were so many conflicting opinions that nothing could be accomplished.

If we go back to the year 1886, we shall find the institution at

Dannemora State Hospital, Dannemora, New York

Bridgewater, Massachusetts, known as the Bridgewater Workhouse (the name has since been changed to the State Farm), comprising two departments. First, the workhouse department, to which were committed persons found guilty of vagrancy and common drunkenness, for which they were sentenced for short terms. Second, the almshouse department. These two departments still exist. The number of inmates of both departments varies greatly at different seasons of the year. In the winter months the number present crowds the capacity of the institution, while during the summer the number reaches the low-water mark. The institution possessed a large farm which, with plenty of labor, could be made very productive; but just at the season when labor was wanted, the able-bodied prisoners and paupers were away upon their "annual vacations." In casting about for some remedy for this condition, the management of the institution observed that the state lunatic asylums were complaining of overcrowding and its attendant disadvantages. The thought suggested itself that if authority could be obtained to make provision for some of the chronic and harmless insane at the state farm, the state hospitals would be willing to give some of their numbers, who would be benefited by the agricultural work. It was expected that if this could be done the state farm would thus obtain one class of inmates whose numbers would remain nearly constant and who might advantageously be employed. Provision was accordingly made to build for 125 chronic insane of the pauper and harmless class. In 1887 the buildings were opened. They were admirably adapted to the purposes for which they were intended, namely, the care of the chronic and harmless insane, but within a year or two of the first transfer to this asylum the management began to perceive that the interests of the state hospitals were being consulted to a greater degree in the class of patients transferred. Among the prisoners began to come quite a number of the criminal class. Thus far none of them could be said to be otherwise than harmless, but they were of a different stamp from that which had been expected. They did not seem to show the interest in farming which it was thought they would, but, on the contrary, they seemed more anxious to exhibit their skill as fence jumpers and lock pickers than as agriculturists. Stronger construction was obviously necessary. In 1888 a strong building was erected for not less than 100 insane male criminals. This was occupied in 1890, making the capacity of the department for the insane 250. In 1892 the superintendent of the state farm wrote as follows: "The pauper and harmless class of inmates with which this asylum first started are fast disappearing. It will readily be seen that very soon the entire number will be convicts and criminals. The transfers to the asylum are all now from the class who almost without exception should have single, strong rooms." In the same year another building was erected, raising the capacity to 325.

One other stage in the development of this institution was reached in 1894, when a law was passed which provided that only insane convicts should be received in the lunatic wards at the state farm, and practically prohibited the reception of any cases from the courts direct. From this it will be seen that the original plan in vogue in Massachusetts, which contemplated the presence of only 125 insane of the pauper and harmless class, created an organized asylum for the congregation of over 300 of the most difficult class of the insane to care for and control.

In the meantime, the lay management of the state farm was not slow in observing that here was a field which was strictly a professional one, and desired to be relieved of all responsibility for the asylum department and place it where it belonged, on medical shoulders. The separation of the insane department from the workhouse and almshouse departments by statute was recommended by the trustees and superintendent in their last report. "Inasmuch as its character (referring to the asylum department) has so radically changed, having in fact become one of the most difficult class of patients to restrain and manage, and requiring expert medical direction, it is a question whether it should longer continue as a ward of the state farm or be separated by statute law and managed distinctly as an independent institution." The plan of separation, however, met with decided opposition by the legislative committee, the main objection focusing around the policy which is opposed to the multiplication of institutions in Massachusetts. But with a view to relieving the lay superintendency, the management still insisted that there should be some statutory enactment recognizing the professional factor in the conduct of the asylum. A medical director was thereupon appointed to have the care and custody of the inmates of the asylum, and to govern the same in accordance with the rules and regulations approved by the trustees. This act also provides for the commitment of insane criminals directly to this asylum instead of to the state lunatic hospitals as heretofore. Also certain of the so-called court cases, which include persons arrested for crime, but found to be insane, would be committed directly to this asylum if the court determines they are criminals or have been vicious in their habits.

By the establishment of this institution there has been gained a needed recognition of the professional element in its management, but the greatest gain comes in relieving the state hospitals of the presence of all convict and some of the criminal insane, who are called court cases. This reorganization occurred after practically thirty years' agitation, the inference being that progress in such matters is necessarily slow. At present the asylum is one department of a large institution, the other departments of which differ widely from it. But on account of this relationship the asylum must necessarily be dependent upon general conditions which govern the institution as a whole. In this particular case, moreover, the asylum is necessarily subject to general conditions which govern two state institutions, namely, the Tewksbury almshouse and the state farm, both being managed by the same board of trustees. The practical result of such relationship will be, I think, with departments differing widely in their nature and influence, that one or the other may suffer because general and relative conditions have to be considered.

The director of the Massachusetts institution writes as follows:

"I think it is a question whether the problem can be properly solved short of establishing an institution upon a separate site and in buildings planned and adapted from the beginning for the care, treatment, and custody of the insane criminals of the state.

"If we were to build again (the Massachusetts state farm), with the advantage of our experience, we would probably not build a hospital for insane criminals directly on to a prison, lest the graft should grow to be a troublesome burden to the parent stock and suffer in turn, like an overcoddled child, for lack of opportunity to work out its own salvation. It is surely a disadvantage to have different classes so closely related that intercommunication is difficult to prevent. It is also a positive disadvantage to have the nerve-trying duties of an attendant upon the dangerous insane compared with the less onerous duties of those who guard sane men serving short sentences."

In Michigan the single institution for the care of the criminal insane is at Ionia, its foundation dating from 1883. This institution was located adjacent to the Michigan State House of Correction and under the management of the board of control of this institution, but it was provided with a medical superintendent and staff and the administrations of the two institutions were in no way connected. The earliest official name of this institution was the Michigan Asylum for Insane Criminals, which was later changed to the Michigan Asylum for Dangerous and Criminal Insane; this finally was changed to the simple designation of state asylum. The original building was constructed with a view to accommodating about 90 patients. This was soon filled, and it was then decided that its contiguity to the prison was very objectionable. It had its influence upon the curability of patients, especially in depressed cases, the patients themselves not realizing that their environment had changed and that they were in a hospital instead of a prison. When it became necessary to increase the capacity of the institution, a farm some distance from the prison was purchased and buildings erected thereon. As the population increased, additional buildings were erected at this point; and eventually that which started as a branch became the main building, while the main building became a branch.

As before stated, the institution cares for the criminal insane of the state and the dangerous insane. The dangerous or homicidal patients are transferred from the other asylums of the state, but a transfer cannot be made merely upon the order of the superintendent or trustees of the asylum in which the patient is confined. The superintendent reports to the board of trustees of his institution that the patient is dangerous. They investigate, and if they agree with the superintendent, application is made to the governor, who in his discretion may order the transfer of the patient to the state asylum. This is intended to avoid the transfer of patients who are merely disagreeable to care for and not homicidal. The asylum received its first patients in 1885, and at the present time has a population slightly over 400.

From the above histories, relating to the development of the treatment of the criminal insane in the United States, it is not difficult to perceive that the main features are now practically the same in all states. The differences are in detail only. A review of the whole field shows that certain inductions based on experience seem perfectly tenable. These relate, first, to the classification of persons cared for, and, second, to the principles of administration.

In the first group we may say that it is practically agreed throughout this country that the following classes may properly be included in the population of a hospital for the criminal insane.

1. Persons who become insane while serving sentence.

2. Persons accused of crime and found insane, either previous to or after indictment.

3. Persons acquitted of crime on the ground of insanity.

4. Persons of previous criminal tendencies, adjudged lunatics under civil process.

5. Persons of homicidal tendencies resident in civil hospitals.

6. Persons who are adjudged lunatics while serving sentence and who are unrecovered on completion of such sentence.

In relation to administration, the American administrators of institutions for the criminal insane concede certain essential points as having been satisfactorily demonstrated. First, that the building best suited to their needs is the pavilion type of hospital construction, with from ten to fifteen per cent of single rooms, the balance being dormitories and day rooms. Second, that this building should be separate and apart from any other institution and strong enough to maintain a secure custody, with farm lands available for employment of patients. Third, that the administration should be wholly medical in its organization. Fourth, that the custody of the deranged of the criminal class should be continuous and regardless of definite sentence. Fifth, that the entire cost of maintenance should be borne by the Commonwealth and not by any of its municipalities or subdivisions. Sixth, that the general standard of maintenance should be practically as among the civil insane of the same community, with all liberty possible under a positive custody.

It is interesting to note finally that all of the states maintaining separate institutions for the criminal insane have started their work with a definite, basic factor for their early population. This factor has differed considerably in the different states. In no case has it been strongly held to. There has been a gradual enlargement in the work of each institution. The growth has come because of the demands of each community, and all changes have been made as the result of early experience in operation. While the several states have not all commenced at the same starting point, each year has seen their work more closely related, and at the present time it can safely be said that the work performed is very nearly identical in all the states.

At the present time two states have in course of erection institutions for the care and treatment of the criminal insane. Each represents the best now known in construction and detail. One is at Far View, near Carbondale, Pennsylvania, and the other at Lima, Ohio. These buildings, which probably will not be occupied in less than two years' time, are thoroughly fire-proof and will be equipped with the most modern appliances for the treatment of mental diseases, at the same time providing for the secure custody of the dangerous class. The building commissions in both these states have traveled far and wide and have eliminated, so far as possible, the defects of the older institutions.

The Ohio hospital at Lima is worthy of special attention, since the entire building, designed to house 800 patients or more, is really a huge, steel-enforced monolith, made of concrete and faced with brick and stone trimmings.

All of the leading American institutions for the criminal insane are of a type wholly different from that known abroad and quite likely to arouse the intelligent interest of foreign penologists and physicians, who are cordially invited to visit and inspect them at any time during their stay in the United States.

XIII

THE RELEASED PRISONER

By AMOS W. BUTLER

President American Prison Association

IN our penal system there are various stages in the treatment of the law-breaker. These include arrest, detention, trial, conviction, confinement, treatment, release and rehabilitation. This paper treats of the two last mentioned phases.

There are three distinct forms of release: parole, pardon and discharge. Parole is the more common form of release when the prisoner is confined under the so-called "indeterminate sentence." The better name for it perhaps is "indefinite" in distinction from the "definite" sentence still in use in many states. (There is no "indeterminate sentence" in the United States in any strict sense of the word; but the phrase has become a popular equivalent for a sentence with a maximum and sometimes a minimum limit, but modified by some state authorities in accordance with the conduct of the prisoner who is conditionally released on parole. It is a very inexact expression as applied to actual conditions.) Both parole and pardon are resorted to for the benefit of deserving prisoners under definite sentence. A prisoner not otherwise released is discharged by the institution authorities when his sentence is served. This occurs either at the end of the term or at an earlier date if, as is true in most states, there is in operation a commutation or a "good time" law which enables a prisoner, by proper conduct, to shorten the term of his confinement. All three methods obtain in many penal institutions, regardless of the form of sentence.

Paroles are issued by a parole board composed of institution authorities, by a central state board, or by the executive. Pardons are granted by a state board of pardons or by the executive, in some states only by the latter.

While modern ideas are rapidly gaining ground, the old system of imprisonment and release is still in vogue in many parts of the country. Under it little thought is given the convict. It is the satisfaction of the law that is all-important. All offenders are treated alike, with no special study of the causes which underlie their individual history, condition or needs. There was a time when the sick were treated in much the same way. It is not so long ago that cells and punishment, shackles and chains, straight jackets and blows, were the means used to subdue and control the insane,—sick people, suffering from mental and nervous affections. There are in Springfield, Illinois, and in Philadelphia, Pennsylvania, interesting collections of various kinds of mechanical restraints used even up to recent times in institutions for the insane in those states. Doubtless other states could furnish equally interesting collections, not alone of mechanical restraints for the insane, but also of instruments used for inflicting punishment on prisoners.

The modern idea, however, is far different, both in regard to the sick and insane and to those others, morally sick, who have violated the criminal laws. We are coming to believe that society is best protected by reforming the criminal. The day is near when every law-breaker will be considered individually, to ascertain his condition and the cause of his trouble. These things understood, men will then know how to proceed with the treatment necessary for his betterment. The indeterminate sentence law contemplates the detention of a prisoner for merely such time as is required to fit him to go out and live the right kind of life. Consequently his release depends upon his response to the treatment given. He shall literally work out his own salvation.

A hundred years ago our prisons received all classes of law violators,—the young and the old, men and women, the first offender and the recidivist. It was but half a century from the establishment of the House of Refuge on Randall's Island to the beginning of the New York Reformatory at Elmira. Within that time throughout most of our land, young offenders were separated from the old and placed in institutions for juvenile delinquents. A beginning has been made in the establishment of separate state prisons for women, the first being the Indiana Woman's Prison, at Indianapolis, authorized by law May 13, 1869, and opened for the reception of inmates October 4, 1873. In Massachusetts the act was passed in 1874. The prison was formally established October 30, 1877.* In a number of states young men, first offenders, have been separated from confirmed criminals and placed in reformatories, while New York has established similar institutions for young women.

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* Pettigrove, Frederick G.: An account of the Prisons of Massachusetts, 1904, p. 31. See also the article by Mrs. Isabel C. Barrows, page 144 of this volume.

The various peoples have not all moved together in the progress of the human family. The old stone age, the new stone age, savagery, semi-barbarism and civilization indicate culture stages in the development of the race. Our state prisons have a similar history. One state after another has taken up the better way. In some there has been rapid progress; in others little, or none at all. Somewhere in this land of ours can be found practically all the stages of prison conditions that have existed in the United States within the past hundred years.

Many states have wisely made provision for after-care of the paroled prisoner and practically all extend aid to discharged prisoners (and some to paroled prisoners) in the way of clothing, transportation and a small amount of money. Numerous private societies have also been organized for the purpose of befriending ex-convicts. For the most part these societies are maintained by voluntary contributions, though a few receive public aid. There are known to us twenty-four of these private organizations, having headquarters respectively in twenty different states. Many of them, however, extend their activities over a much wider territory, notably the Volunteers of America, the Central Howard Association, the Salvation Army, the Society for the Friendless.*

While a state parole officer's work is usually restricted to supervision of paroled prisoners, the private societies' work takes on many other phases, such as supplementing the institution's efforts at reformation; aiding destitute families during the enforced absence of their breadwinners; maintaining institutions in which the convict is given temporary shelter on his release from prison; arousing public interest; urging the enactment of prison reform laws. Not all societies undertake all these lines of activity. There is a difference of opinion as to the value of certain of them, particularly the maintenance of institutions. It may be said of all, however, that in their respective localities they have either been the leading spirit or have joined heartily in reform movements, and much credit is due them for what they have accomplished.

The Pennsylvania Prison Society has the longest history. It was first organized in 1776. Other eastern societies which have done excellent service are the Prison Association of New York and the Massachusetts Society for Aiding Discharged Convicts, the Connec-

* Proceedings National Prison Association, 1907, p. 141.

ticut Prison Association, and the Maryland Prisoners' Aid Association. In the West the Society for the Friendless, of Kansas City, and its various branches, and the Central Howard Association of Chicago, have been very active.

It is not practicable to name all who have done good work, but special mention should be made of Mrs. Maud Ballington Booth, of the Volunteers of America, New York. She began prison work at Sing Sing prison in 1896. For the moral and spiritual uplift of prisoners, she organized the Volunteers Prison League. Its members, 60,000 of whom have been enrolled since the inception of the work, are to be found in twenty-one state and two federal prisons, located in eighteen different states. She has opened "Hope Halls" in New York, Illinois, Iowa and Ohio, to which men may come on their discharge and receive necessary help and encouragement. Since the opening of the two homes which have been longest established, those in New York and Illinois, over 8,000 men have been received and given a new chance in life and Mrs. Booth has expressed her belief that 75 per cent of these lived honest and faithful lives afterwards. Considerable work is also done for women prisoners. Mrs. Booth believes firmly in the indeterminate sentence and parole law.

Good work is also done by the Salvation Army. It reports having prayed with and advised 55,564 prisoners and having assisted 5,183 on discharge, in the year 1908. The D'Arcambal Home of Industry; Detroit, has for years done a noble work.

The so-called "indeterminate sentence" law is in effect in many of the United States. It is not a new thing in this country. It is the extension to adults of a principle which has been applied here to delinquent children since early in the last century. The first separate institution for juvenile offenders was the New York House of Refuge, now on Randall's Island, established in 1824.

While a hundred years ago some of our states wrote into their constitutions that the penal code should be founded upon the principles of reformation and not of vindictive justice, it took us more than three-quarters of a century to learn the meaning and enact the law.*

New York was the first state to establish a reformatory under the indeterminate sentence law.† The following states now have reformatories operating under the indeterminate sentence and parole systems: Colorado, Illinois, Indiana, Iowa, Kansas, Massachusetts,

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* Indiana Constitution, 1816, Art. IX, Sec. 4. Also Law, 1897.

† Authorized by law, 1869; opened in July, 1876.

Michigan, Minnesota, New Jersey, New York (Elmira and Napanoch for men and Bedford and Albion for women), Ohio, Pennsylvania, Washington and Wisconsin.

In some states the indeterminate sentence applies also to the state prison. This is true in Indiana (State Prison and Woman's Prison), Iowa, Massachusetts, Michigan (State Prison), New Hampshire, New Mexico Territory (since July, 1909), and Washington.

Prisoners are committed to state prisons under either definite or indeterminate sentences in Arizona Territory and states of Connecticut, Illinois (Joliet and Menard), Kansas, Michigan (State House of Correction and Branch Prison), Minnesota, New York (Auburn, Sing Sing and Clinton), North Dakota, Oregon, Pennsylvania (Eastern and Western Penitentiaries), Vermont, West Virginia and Wyoming.

Those imprisoned under the indeterminate sentence are usually released upon parole, although the more refractory and confirmed criminals may be detained until they have served the maximum limit prescribed by statute for the offense. Who should be paroled? Those who by their ability to keep the rules inside the prison give evidence of their ability to keep the law on the outside; who have by their life gained the confidence of the management, and whose release is not contrary to the public sense in the locality from which they came. Such prisoners may be released under supervision to test their ability to live as law-abiding citizens. While on parole they must report monthly to the institution, stating how they have spent their time and money. All of this must be certified to by the employer.

The length of time which the state maintains supervision over a paroled man has more or less to do with his success. There is considerable variation in this particular. In some cases it is a fixed time,—for example, six months in the Elmira reformatory, seven months in the Pennsylvania reformatory, nine months in the Illinois reformatory. Again, the law governing the institution requires supervision until the expiration of the maximum sentence, as in the Massachusetts reformatory at Concord, the New York reformatories for women at Bedford and Albion. As a rule, however, a prisoner paroled under the indeterminate sentence law is given final discharge after about one year's trial under supervision. Generally the paroled prisoners are given by the state needed clothing, transportation and some cash to assist them until they earn something for their own support.

In attempting to estimate the results of the indeterminate sentence law we naturally think first of the paroled men who have been able to keep the law. But the effect of the system is shown in other ways. Public interest has been awakened, public sentiment has been developed, and the result is more humane consideration for the unfortunate and the offender. Special interest has been shown by the church, by colleges and universities, and by various organizations and clubs.

Another result is to be observed in the deterrent effect of the indeterminate sentence. While the first offender may be released at the end of the minimum sentence, the average time of imprisonment is lengthened. The law has resulted in extending the time of imprisonment of confirmed criminals. Those who formerly compromised with the officials by pleading guilty to a minor offense and received a short sentence now are given an indeterminate sentence, and if their full history is known, the probability is that they will serve the entire maximum sentence prescribed by law for the offense of which they are convicted. We find that when such persons are released from prison they do not want a railroad ticket to the place from which they were sentenced; they want transportation to some place without the state and generally leave expressing strong feelings against the law and avowing their intention of not being caught again in a state which has such a system.

JOLIET, ILL.

Endeavor has been made to gather herein accurate data from each institution in which the indeterminate sentence law is in force. From what has been secured it is possible to obtain a fuller statement than has yet been made, concerning the results of the law.*

In the twelve and one-half years ending September 30, 1909, 4,893 men were paroled from the Indiana reformatory and the Indiana state prison. Between April 1, 1900, and November 30, 1909, 160 women were paroled from the Indiana woman's prison. All of these were released upon conditions which impose honest, law-abiding lives for a period of at least one year each. During the term of their parole they were visited from time to time by the state agents and they were required to make regular written reports.

The following tabulation contains the record of each of the three institutions named:

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*See Report of Committee on Discharged Prisoners, Proceedings National Prison Ass'n, 1902, p. 282.

	Reformatory	*State Prison*	*Woman's Prison*	*Total*
Received final discharge	1,576	1,025	79	2,680
Sentence expired during parole period	272	125	22	419
Returned for violation of parole	422	299	25	746
Delinquent and at large	432	126	22	580
Died	58	32	3	93
Reporting	339	187	9	535
Total paroled	3,099	1,794	160	5,053
Percentage of unsatisfactory cases	27.5	23.6	29.3	26.2

	Reformatory	*State Prison*	*Total*
Earnings	$821,488.89	$484,858.23	$1,306,347.12
Expenses	710,024.62	356,717.62	1,066,742.24
Savings	$101,464.27	$128,140.61	$239,604.88

The methods followed by the various states in the release and after-care of prisoners are set forth in detail in the following statements, which have been compiled from information furnished by the authorities of penal and correctional institutions. I am much indebted to these officials for the assistance thus rendered.

ALABAMA.—Sentences definite, with commutation. The governor grants paroles at his discretion. Each discharged prisoner is given a suit of clothes and transporation home with enough money to buy food on the way. The state makes no effort to find work or to keep in touch with him after his discharge, but it is said there is little need of aid because of the abundance of work to be found. In one county (Jefferson) discharged prisoners are transferred by an agent to the place of their conviction; otherwise discharged at the state farms or the place of business of the contractor to whom they have been leased. Prisoners about 80 per cent Negroes. The remainder are said to be "white men of inferior social position."

ARIZONA. Territorial Prison, Florence.—Both definite and indeterminate sentences. Paroles are granted by the state board of control to prisoners who have served one year or more. Prisoners may be represented by attorneys; they do not appear personally. No provision for after-care of either paroled or discharged prisoners. Both classes on leaving the institution are allowed $5.00 in cash,

$7.00 to $10.00 in clothing and transportation for not to exceed 250 miles. The indeterminate sentence law has been in operation only four years. No parole officers. A good time law is in force. Up to October 31, 1909, only 39 had been paroled and none of these had been returned to the prison.

Arkansas. State Penitentiary, Little Rock.—Sentences definite, with commutation. Paroles granted by the penitentiary board. Prisoners are not allowed to appear before board, but may be represented by an attorney. No parole agents employed. Most of the prisoners are worked either by contractors or on the state farm. They are released at the place of their employment with $2.00 in cash and a suit of clothing. The state does not assist them in securing work, but will recommend such as have made a good prison record.

California.—Sentences to the two state prisons, Folsom and San Quentin, are definite, with commutation. Paroles granted by the state board of prison directors. No one who has previously served a term in a penal institution is eligible. No attorney is heard in behalf of any prisoner and no oral solicitation of any kind is permitted. The office of state parole officer was created April 1, 1908, prior to which time few prisoners had been paroled. Prisoners must depend upon friends or relatives for help in finding work. They are held under supervision until the expiration of their sentence. Discharged prisoners are released at the institution door, with $5.00 cash, a complete outfit of clothing and railroad fare to the place of their conviction. Friendly aid and oversight are extended by the California Prison Commission, also by the Society for the Friendless.

Colorado. State Reformatory, Buena Vista.—Operates under the indeterminate sentence law. Paroles granted by the board of commissioners. A prisoner may appear before the parole board if he wishes and he may also be represented by an attorney or other person. The state employs one parole officer for both the reformatory and the state prison. Paroled inmates on leaving the institution are given $5.00 in cash, clothing and railroad fare to any point in the state and are required to report monthly thereafter for a year. During the two years ending November 30, 1908, 421 inmates of the Colorado reformatory were paroled, and these are classified as follows: Discharged from parole, 114; died while on parole, 3; returned for violation of parole, 19; resentenced while on parole, 3; and on parole and parole violators, December 1, 1908, 282.

State Prison, Cañon City.—Sentences both definite and indeterminate. Paroles are granted by the governor. A prisoner is not permitted to appear in his own behalf or to be represented by an attorney. The state parole officer finds work for paroled prisoners in advance and visits them frequently thereafter. Nothing more is done for them. The parole period extends to the expiration of the maximum sentence, the average being one year and eight months. Prisoners who are serving definite sentences are entitled to commutation. Their time served, they are given $5.00, a suit of clothes and transportation to the place of their conviction and they are released at the railroad station. Sometimes work is found for them, but they are not visited by the parole officer. The Colorado Prison Association and the state board of charities and corrections supply help to and visit prisoners. Up to November 30, 1909, 948 prisoners had been paroled. Of this number all but 279 may be accounted for as follows: Complied with the conditions of their parole and given final discharge, 269; died, 2; sentence expired during parole period, 31; returned to prison, 110; delinquent and at large, 18; still reporting, 239. The known delinquent constitute 13.5 per cent of the whole number paroled.

Connecticut. State Prison, Wethersfield.—Sentences definite and indeterminate. Parole board grants paroles to those under indeterminate sentence who have no criminal record. The prisoners only appear before the board. When not otherwise provided, the warden endeavors to find employment. Those paroled receive $5.00, an outfit of clothing and a suit case. Discharged prisoners receive in addition a ticket to destination, but they are released at the prison door. Definite sentence prisoners are allowed good time. Work is found for them if possible but they are not visited. The Connecticut Prison Association, with offices at the state capital, renders assistance to ex-convicts and the secretary acts as parole officer if the warden desires it.

From March 12, 1903, to June 12, 1907, 71 prisoners were paroled. Twenty-eight of these were still under supervision at the date last mentioned; of 26 the maximum sentence had expired; 4 had received final discharge and there were 13, or 18 per cent, who were delinquent. Ten of the latter had been returned to the prison and three were at large. On September 30, 1908, there were 27 paroled prisoners under supervision. These 27 men had earned $6,305.09 and spent $5,529.26. Their savings therefore amounted to $851.45.

Florida.—Definite sentences. State prisoners are distributed in camps and are employed in turpentine farms and in phosphate mines, all above ground. The legislature of 1909 made provision for a central state prison where women, invalids and juvenile male prisoners will be maintained. At present the lessees of state prisoners maintain two central hospitals for invalids and juveniles. All are under the immediate supervision of state inspectors who continually travel from camp to camp.

Idaho. State Prison, Boise.—Sentences definite. Paroles are granted by the board of prison commissioners. No parole agent is employed, but the warden obtains work for the prisoners so released and the state gives them $10 in cash and $6.00 worth of clothes. The parole period lasts six months. Prisoners are entitled to good time. They are discharged in Boise with the same allowance made to paroled prisoners.

Illinois. State Reformatory, Pontiac.—Indeterminate sentence. The board of managers grants paroles. Employment for not less than twelve months must be guaranteed. An inmate and his attorney may appear before the board. A state agent finds work and he visits as often as is possible. The parole period lasts nine months. Each paroled man receives $10, a suit of clothes and a railroad ticket to destination. In the sixteen years ending September 30, 1908, 5,700 men were so released. Of this number 3,679 received final discharge, 67 died, of 27 the maximum time of their sentence expired, and 109 were still reporting at the close of the period. Two hundred and sixty-two are unclassified and the remaining 1,556, or 27 per cent, violated their paroles. Of the latter number 787 were apprehended and returned to the institution and 769 are at large.

State Prisons, Joliet and Menard.—Both definite and indeterminate sentences are in effect. The state board of pardons grants paroles.* The prisoner and attorney may appear before the board. Each institution has a parole agent. Work is obtained for the paroled prisoner, who receives $10 in money, a suit of clothes and transportation to destination. Parole period, twelve months. Visited by the parole agent when necessary. Prisoners serving a definite sentence are entitled to good time. They are released at the prison door with the same allowance that is made to paroled prisoners. No provision for finding work for them, or visiting them. In the thirteen years ending September 30, 1908, 3,988 prisoners were paroled from the penitentiary at Joliet. This number is accounted for as follows: 2,488 fulfilled the conditions which entitled them to release and were given final discharge; 54 died; of two the maximum time expired during parole period; 55 were still under supervision on the date mentioned; the remaining 1,389, or 35 per cent, defaulted, and of this number 715 were returned to the institution and 674 were at large at the time of this report.

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*By a decision of the Supreme Court of Illinois, in February, 1910, the powers of the parole board have been modified; but the parole system remains and the case has been reopened for another hearing.—Editor.

From the penitentiary at Menard, 407 men were paroled during the year ending December 31, 1909. Three of these were given final discharge, 86 were delinquent, 4 died, 6 were turned over to other institutions, 2 were returned on a new charge and 306 were still reporting at the end of the year. The known delinquent constitute 21 per cent.

INDIANA.—The indeterminate sentence law applies to the Indiana Reformatory, Jeffersonville, the State Prison, Michigan City, and the Woman's Prison, Indianapolis. The board of trustees of each institution grants paroles. The governor may at his own discretion grant paroles or pardons. Prisoners appear before the parole board in their own behalf, but are not allowed to have attorneys. Each institution has one or more agents who find employment for paroled prisoners and visit them frequently during the parole period, which is usually one year but may be longer. Paroled women receive a complete outfit of clothes and transportation; men, a suit of clothes, $5.00 in cash and transportation. Prisoners not given a parole must serve the full maximum time prescribed by law for the offense committed. Discharged women are sent to their own home or one which has been found for them by the institution. They are given a complete outfit of clothing and an effort is made to find work for them. Discharged men are given a suit of clothes, $10 cash and transportation and are released at the railroad station. The state makes no provision for further care. Some effort is made by the state prison authorities to find work for discharged prisoners, if they desire it. The Rescue Mission, Indianapolis, extends some aid.

IOWA.—An indeterminate sentence law affecting both the reformatory at Anamosa and the state prison at Fort Madison, was recently enacted. Parole is granted by the state board of parole. The rules require that, before applying for parole, a prisoner shall have served a period of eleven months unless the maximum sentence is two years or less, in which case he may apply after serving a period of six months. Employment for a term not less than six months must be guaranteed. The board permits both the prisoner himself and his representative to appear before it. The secretary of the board acts as parole agent. He assists prisoners to find employment and visits them afterward if necessary. Paroled prisoners are given transportation to the place of their employment, a suit of clothes and from $3.00 to $5.00 in money, and are held under supervision for at least one year.

Discharged prisoners leaving the penitentiary at Fort Madison are given a suit of clothes and are released at the station with a ticket to their destination and $5.00 in cash. Those who are discharged from the reformatory at Anamosa receive the same as is allowed paroled prisoners and are released at the institution door. The state does nothing further for them. There are no prisoners' aid societies. In both the penitentiary and the reformatory, prisoners are entitled to good time. On November 18, 1909, the secretary of the board of parole submitted the following figures concerning those on parole from both the state prison and the reformatory who had reported for one year or more since the time the law went into effect: Whole number on parole, 60, of whom 32 have received final discharge; one committed suicide; one had his sentence commuted by the governor and 14 were still under supervision. The remaining 12, or 20 per cent, were delinquent. Seven of the latter had been returned to the institutions and five had absconded. The earnings of these prisoners while on parole amounted to $25,750.41 and their expenes to $17,486.91, leaving a balance of $8,263.50.

KANSAS. State Penitentiary, Lansing.—Both definite and indeterminate sentences. The parole board considers all applications for parole and recommends to the governor, who nearly always follows the recommendation. Attorneys, friends of prisoners and the prisoner himself, may appear before the parole board. Employment for twelve months must be guaranteed. Parole officer visits paroled prisoners. The parole period usually lasts ten or twelve months. Each paroled or discharged prisoner receives a suit of clothes and a sum of money. Good behavior earns a commutation of sentence. The Society for the Friendless aids friendless ex-convicts. Conditional pardons have been granted by the governor since 1899 and paroles under the indeterminate sentence law since 1903. Altogether there were released up to October 9, 1909, a total of 840 prisoners who are classified by the institution as follows: Received final discharge, 552; died, 12; went insane, 1; still on parole, 115; delinquent, 160. Of the delinquents all but 66 were apprehended and reincarcerated. The delinquent constitute 19 per cent of the whole number conditionally released.

State Industrial Reformatory, Hutchinson.—Operates under the indeterminate sentence law. Inmates paroled by board of managers after twelve months in the institution without loss of time. The board hears both prisoners and attorneys. A state agent finds work and visits as often as possible. The parole period lasts from twelve months to two years. On leaving the institution each paroled prisoner receives a sum of money. Discharged prisoners are given money and are released at the railroad station. Work is found for them and they are visited.

KENTUCKY.—State Penitentiary, Frankfort; Branch Prison, Eddyville. Sentences definite, with commutation. The state board of prison commissioners grants paroles. Attorneys and the prisoner are permitted to appear before it. A paroled prisoner receives nothing from the state. Must depend upon himself or friends for employment. There is no parole officer. Discharged prisoners are given a suit of clothes, transportation home and $5.00 cash and are released at the railroad station. Nothing further is done for them by the state. Aid is extended by the Society for the Friendless, Frankfort.

LOUISIANA.—The penitentiary system includes a prison at Baton Rouge, four state farms and several levee camps. Definite sentences, with commutation. Prisoners are released at place of employment, with clothing and $5.00 cash. The Prisoners' Reform Association, New Orleans, extends aid.

MAINE. State Prison, Thomaston.—Definite sentences, with commutation. No paroles are granted. Prisoners are discharged at the institution door, with suitable clothing and $10 or less in cash. Work is found for them when possible, but they are not visited. Necessary aid is extended by the Portland Prison Association.

MARYLAND. State Prison, Baltimore.—All sentences definite, with commutation. No parole system. Having served his sentence, a prisoner is discharged at the institution door with a good suit of clothes, also money if he needs it. Prisoners generally have on hand money earned at over-work. At the Maryland House of Correction, Jessups, all sentences are definite, with commutation. Discharged prisoners are released at the railroad station. They receive nothing whatever from the state. The Maryland Prisoners' Aid Society, Baltimore, assists ex-convicts.

MASSACHUSETTS.—Since the first of January, 1896, all commitments to the State Prison, Charlestown, have been for minimum and maximum terms, and if the conduct is good, a prisoner is released at the end of the minimum term as a matter of course. At the Reformatory, Concord, and at the Reformatory Prison for Women, Sherborn, the sentences are indeterminate, with a maximum term of five years in cases of felony. The prison commissioners issue permits to be at liberty, but in the case of the state prison a permit cannot be granted before the expiration of the minimum term fixed by the court. No prisoners are granted final discharge before the expiration of their maximum term. Prisoners may appear before the parole board and sometimes are allowed an attorney. Four state agents find work for paroled prisoners when it is not otherwise provided, and they visit them whenever necessary. Both discharged and paroled prisoners are given whatever in the opinion of the agent will help them most, such as board, clothing, tools, transportation or money. Prisoners who do not earn a parole must serve the maximum time of their sentence and are then released at the institution door. If possible, work is found for them.

Three organizations in Boston aid ex-convicts: The Massachusetts Society for Aiding Discharged Convicts, the Massachusetts Prison Association and the John Howard Industrial Home.

The prison commissioners have furnished the following figures concerning prisoners released from October 1, 1907, to September 30, 1908:

	State Prison	*State Reformatory*	*Reformatory Prison for Women*
Whole number given permits to be at liberty	151	600	174
Returned for violation	6	23	12
Delinquent and at large	..	78	60
Died	..	5	1
Time expired	..	48	1
Remaining under supervision	145	446	100
Total	151	600	174

The percentage of unsatisfactory cases is as follows: State Prison, 4; Reformatory, 17; Reformatory Prison for Women, 41.

MICHIGAN. State Prison, Jackson, and State Reformatory, Ionia.—Sentences indeterminate. State House of Correction and Branch Prison, Marquette.—Both definite and indeterminate sentences. Paroles are granted in some cases by the governor, in others by the advisory board of pardons. A good time law is also in effect. Convicts serving a third term are debarred from both the good time and the parole law. Prisoners may be paroled at the expiration of the minimum sentence fixed by the court, which by law cannot be less than six months. A prisoner himself is always heard by the parole board; attorneys permitted but not encouraged. No parole agents are employed. However, no prisoner is paroled until some responsible person, not a relative, has agreed to act as his "first friend and adviser." An outfit of clothing is given each convict on leaving. The parole period varies from one month to four years, averaging usually about one year.

All discharged prisoners are released at the institution door with an allowance of clothing, transportation and a small sum of money. No after-care is extended. In the four years ending December 31, 1908, 369 prisoners were paroled from the state prison at Jackson. Final discharge was granted to 160 of these, two died and on the date mentioned 117 were still reporting. The remaining 90, or 24 per cent, were delinquent. Of this number 60 have been reincarcerated and of 30 the whereabouts were unknown.

The State Reformatory at Ionia, from September, 1903, to January 1, 1910, paroled 1,161 prisoners. This number is accounted for as follows: Served parole and received final discharge, 651; died while on parole, 19; still under supervision, 231; delinquent and returned to the reformatory, 134; delinquent and at large, 126. The delinquent constitute 22 per cent of the whole number paroled. The earnings of the men while on parole amounted to $400,000; the expenses were $270,000, and the savings, $130,000.

MINNESOTA. State Reformatory, St. Cloud.—Sentences indeterminate.

State Prison, Stillwater.—Sentences definite, with commutation, also indeterminate. Paroles granted by the state board of control. No state prison convict on a definite sentence may be paroled who has been previously convicted of a felony; he must have served at least one-half his full term not reckoning good time; if serving a life sentence, he must have served 35 years less the diminution which would have been allowed for good conduct had his sentence been for 35 years, and then may be released only by the unanimous consent in writing of the members of the board of pardons. The prisoner may appear before parole board; no attorneys. A state agent for each institution finds work for and visits paroled prisoners. The parole period is not often less than a year and sometimes much longer. State prison convicts on definite sentence who are paroled remain under supervision until the expiration of their sentence. Paroled prisoners are given necessary clothing and some money.

Prisoners discharged from the reformatory receive the same allowance as is made to paroled prisoners. Those discharged from the state prison are released at the prison door, with good serviceable clothes, $25 in money and their earnings. The state maintains no further supervision over them.

Between July 1, 1892, and July 31, 1908, 934 men were paroled from the state prison. These were accounted for as follows: received final discharge, 666; returned to institution, 162; delinquent and at large, 22; died, 12; still reporting, 72. The unsatisfactory cases numbered 184, or 20 per cent of the whole number paroled. From August 1, 1902, to December 31, 1909, the reformatory paroled 765 inmates. Of this number, 343 received final discharge, 329 were delinquent, 5 died, the time of 9 expired, 78 were still reporting at the latter date, 1 was pardoned, 2 were recommitted, 6 were transferred to the prison. The 329 delinquent constitute 43 per cent. All but 48 of these were apprehended.

MISSISSIPPI. State Prison.—Consists of four farms with a main office at Jackson. All sentences definite, with good time allowance. No prisoners are paroled. Released at railroad station, with $10 and a suit of clothes. Nothing further done for them.

MISSOURI. State Penitentiary, Jefferson City.—Sentences definite, with commutation. Prisoners may be paroled by the pardon attorney. The parole period is for no specified time. Paroled prisoners are given transportation to the place of their conviction. Discharged prisoners are released at the prison door, with $5.00 in cash and transportation to the place of their conviction. In case of "second timers" only transportation is given. Nothing further is done by the state. Aid is extended by the Society for the Friendless.

MONTANA. State Prison, Deer Lodge.—Sentences definite, with commutation. A few convicts are paroled by the prison commissioners after serving half their time or after thirteen years in prison if their term is for 25 years or for life. Paroled prisoners are required to remain within the state and to report monthly. No parole agent is employed. Prisoners find work for themselves. Both paroled and discharged prisoners receive clothing and $5.00 in cash on leaving the institution. The former are held under supervision until the end of their sentence less the allowance for good time; the latter are released at the railroad station and nothing more is done for them by the state.

Nebraska. State Penitentiary, Lincoln.—Definite sentences, with commutation. The governor grants paroles. An attorney may appear in a prisoner's behalf, but not the prisoner himself. The state gives nothing whatever to a paroled convict. Discharged convicts, however, receive $5.00 and a suit of clothes. No system of after-care.

Nevada. State Prison, Carson City.—Definite sentences, with commutation. Paroles granted by a parole board. An attorney is permitted to appear in a prisoner's behalf. Work is found by friends. The parole period lasts until the sentence would have expired and at that time prisoners receive $25 in cash. If necessary a portion of this sum is allowed at the time parole is granted. Discharged prisoners are released at the prison office with $25 cash. Nothing further is done for them.

New Hampshire. State Prison, Concord.—Sentences indeterminate, also definite, with commutation. Paroles are granted by the governor and council on recommendation of the warden, neither prisoners nor their attorneys being permitted to appear. A state parole agent finds work when possible and visits occasionally. The state gives not exceeding $10 in money and new clothing to paroled and discharged prisoners. The parole period extends to the end of the maximum term. A parole law was enacted in 1901. In 1905 the law was made more effective. In 1909 it was again amended and created for the first time a parole officer. This officer has the legal custody of all paroled prisoners, and the results are better than ever before.

Discharged prisoners are released at the prison door. Work is found for them when possible, but they are not visited. Necessary aid is extended by the Prisoners' Aid Association, of Concord.

New Jersey. State Reformatory, Rahway.—Indeterminate sentences. Paroles are granted by the parole committee. The prisoner himself is heard and in special cases an attorney. A state agent finds work for and visits paroled men, usually once a month. The parole period is one year. Each paroled prisoner is given $5.00, a suit of clothes, a hat and a pair of shoes. Prisoners who do not earn a parole receive the same allowance of money and clothing when their time expires, are released at the reformatory door and no further care is given them. In the eight years ending September 17, 1909, a total of 1,453 men received paroles and their record at the close of the period stood as follows: received final discharge, 687; returned to institution, 229; delinquent and at large, 71; died, 32; time expired, 51; still reporting, 383. The 300 delinquent cases constituted 21 per cent of the whole number paroled.

State Prison, Trenton.—Definite sentences, with commutation. License to be at large is granted by the court of pardons. A prisoner may plead his own cause, but no attorney or other representative is permitted to appear. The state parole agent endeavors to procure suitable environment and employment for him, and visits him thereafter. Paroled prisoners receive a suit of clothes on leaving the institution but no money. They are held under supervision until their term expires. Discharged prisoners are released at the prison door, with a suit of clothes and $5.00 in money. The New Jersey State Charities Aid Association befriends them.

NEW MEXICO. Territorial Prison, Santa Fé.—Definite sentences, with commutation. A few paroles are granted by the governor and the board of penitentiary commissioners. If the conditions justify it, a prisoner is permitted to appear in his own behalf and also to have an attorney. No parole agents are employed. The parole period lasts until the sentence expires. Discharged prisoners are released at the railway station, with $5.00 in cash, a suit of citizen's outer clothing and a railroad ticket to the place of their conviction. The Society for the Friendless finds employment and aids needy families. An indeterminate sentence and parole law went into effect July 1, 1909.

NEW YORK.—Young women offenders are sent to the State Reformatory for Women at Bedford and the House of Refuge at Albion; older women to the woman's department of the state prison at Auburn. Young men are sent to the New York State Reformatory at Elmira and the Eastern State Reformatory at Napanoch; older men to the state prisons at Ossining (Sing Sing), Auburn and Dannemora.

New York State Reformatory for Women, Bedford, and Western House of Refuge for Women, Albion.—Sentences are indeterminate. The maximum period of detention is fixed by law at three years and there is no minimum. Paroles are granted by the board of managers on the recommendation of the superintendent. It is the rule not to permit either attorneys or prisoners to appear. The state employs one parole agent for each institution and employes do considerable parole work. Employment is usually arranged for from the superintendent's office, the parole officer investigating places and homes. Supervision is maintained until the expiration of the three-year sentence. On leaving the institution each paroled woman is given necessary transportation, clothing and in some cases money. No good time law is in force. The institution at Bedford was opened May 11, 1901, and from that time to September 30, 1908, 440 women were released on parole. Of that number 247 received final discharge; 5 died and 75 were under supervision at the close of the period. The delinquent numbered 113, or 25 per cent. Sixty-five of these were apprehended and returned to the institution and 48 were still at large at the time of the report.

New York State Reformatory, Elmira, and Eastern State Reformatory, Napanoch.—Sentences indeterminate. Paroles granted by the board of managers on superintendent's recommendation. No attorneys are permitted to appear before the parole board, but the prisoner himself is heard. The state employs two parole agents. Local police officers also act in this capacity. Occasionally work is found for a paroled man before he leaves the institution; but ordinarily he secures it through correspondence or with the help of relatives or friends. Discharged prisoners are released at the railroad station, with $15 and a suit of clothes, and the state gives them no further care. Two associations aid the institution in the supervision of prisoners. They are the Prisoners' Aid Association of New York, located in New York City, and the Buffalo Charity Organization Society.

The Elmira Reformatory in the thirty-three years prior to September 30, 1908, paroled 12,059 men. The superintendent writes that he has no definite data as to the number paroled during this time who have received final discharge nor the number delinquent for the same period who have not been returned to the institution. Nine hundred and ninety-three men who violated their paroles were returned. In a paper read before the National Conference of Charities and Correction at Minneapolis, Minnesota, in 1907, the superintendent made this statement: "Going back over the records, 1,000 cases have been tabulated remote enough to determine the results for a period of years. It was found that 76 per cent had maintained themselves in such a manner as not to have been again sentenced to prison."*

The reformatory at Napanoch makes the following report:

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* Proceedings National Conference of Charities and Correction, 1907, page 90.

From October 1, 1906, to December 28, 1909, 669 men were paroled, of which number 321 received final discharge, 3 died and 152 were still reporting on the last date mentioned. There were 193 delinquent, of whom 86 were apprehended and 107 escaped. These delinquents constitute 29 per cent of the whole number paroled.

State Prisons, Ossining, Auburn and Dannemora.—Sentences to the three state prisons are both definite and indeterminate. Prisoners serving a definite sentence are entitled to good time; those serving indeterminate sentences may be paroled by the board of parole for state prisons when their minimum sentence expires. An application for parole must be made by the prisoner himself. Under the law the board is prohibited from considering any other form of application or petition. The state employs one parole agent for each prison. In some cases he finds work for paroled prisoners before they are released. If a man reports regularly he is not visited until just before the end of his parole period, which lasts one year. If he does not report or is suspected, the officer goes to see him. Each paroled or discharged prisoner is given clothing, a ticket, $15 cash and his earnings. At the expiration of their terms the latter are released at the prison door and the state's supervision thereupon ceases. Aid is extended when necessary by the Prison Association of New York and the Volunteers of America, both located in New York City.

The state prison department reports that 2,313 prisoners have been paroled from Auburn, Sing Sing and Clinton prisons, of whom 616 have been discharged by commutation, 479 by expiration of sentence and 409 by the parole board; 407 were delinquent, of whom all but 219 have been returned to prison; 402 were at large in good standing October, 1909. The 407 delinquents constitute 17 per cent of the whole number paroled.

NORTH CAROLINA. State Prison, Raleigh.—Sentences definite, with commutation. The governor grants conditional pardons. An applicant for pardon must advertise for thirty days that his application is pending. The governor hears all cases, lawyers on both sides appearing before him. Each discharged prisoner is furnished a railroad ticket to the county where he was convicted or one less distant which he may designate, and he is compelled to take passage. The price of the ticket is deducted from his commutation money if there be any. No effort is made by the state to find work or visit. The secretary of the state board of public charities has made this statement: "I deplore the fact that so little is done for the discharged prisoner. The conditions for white prisoners and for colored prisoners are not the same. The white man has much the worst of it all the way through. Our people argue that he is white and therefore should have known better. It is no trouble for the Negro to get work. The question is not asked whether he has been on the chain gang. Farm labor is in demand."

NORTH DAKOTA. State Penitentiary, Grove.—Both definite and indeterminate sentences, with commutation. The indeterminate sentence law was passed recently. Paroles are granted by a board composed of three institution officers and one other person chosen by the board of trustees. This body is called the board of experts. Notice of the inmate's intention to make application for parole must be published in at least one newspaper in the county where he was convicted. No attorney is permitted, but the prisoners may appear. A paroled inmate is furnished transportation, a suit of clothes and a sum of money. Parole period is indefinite. Parole officer visits. Discharged prisoners are released at the penitentiary door with a suit of clothes, railway ticket and $25. No provision for their after-care.

OHIO. Penitentiary, Columbus.—Sentences are definite, with commutation. The parole law provides that the board of managers may grant paroles to persons imprisoned under sentence other than for murder in the first or second degree who have served the minimum term prescribed by law for the crime committed and who have not previously been convicted of felony. It also provides for the parole of prisoners sentenced for murder in the first or second degree who have served twenty-five full years of their term. The application for parole must be endorsed by the warden and chaplain and notice of it must appear for three consecutive weeks in two papers of opposite politics in the county from which the prisoner was sentenced. The law further provides that no petition or other form of application shall be entertained by the managers and that no attorneys or outside persons shall be allowed to appear before them. A prisoner's application for parole must be accompanied by a guarantee of employment. Each paroled prisoner is visited once a month by a parole agent until the expiration of his sentence. He receives nothing from the state in the way of clothing or money. Discharged prisoners are furnished clothing, a railroad ticket and $5.00 and are released at the railway station. No state provision for after-care, but they are befriended by the Volunteers of America and the Salvation Army.

OHIO. State Reformatory, Mansfield.—Sentences are indeterminate. Prisoners are paroled by the board of managers. Attorneys or other persons are not permitted to appear in behalf of prisoners, but in every instance the prisoner himself is given a hearing. The reformatory has three field officers, the state being divided into three districts. If not otherwise provided, the field officer secures employment. He also visits those on parole, as a rule once a month. The parole period is usually one year. Minors, however, are not released until they reach their majority. Each paroled man receives clothing, transportation to his home, and if he has no earnings to his credit, he is given $5.00 in cash. Inmates leaving the institution average about $15 in pocket. From October 20, 1896, to October 1, 1909, 3,515 men were paroled. By the latter date, 2,090 of these men having fulfilled the conditions of their parole were given final discharge; 24 had died; of 16 the maximum sentence had expired and 512 were still on parole. The remaining 873, or 25 per cent, were delinquent. All but 332 of the latter had been apprehended and returned to the institution.

Oklahoma. State Penitentiary, McAlester.—Sentences definite, with commutation. The governor grants paroles to some prisoners who report for a year. Attorneys are permitted to appear, but the prisoner is not. Nothing is given paroled prisoners. Discharged prisoners receive new clothes, $10 and their railroad fare. They are released at the penitentiary door, and no after-care is extended, either by the state or any private organization.

Oregon. State Penitentiary, Salem.—Both definite and indeterminate sentences, with commutation. Those serving an indeterminate sentence may be paroled by the governor at any time after the minimum sentence expires. No attorney is permitted to appear. A state agent finds work for and visits paroled inmates. The length of the parole period varies from twelve to twenty-four months. Each paroled or discharged man receives clothing and $5.00 in cash. Nothing further is done for them by the state, but the Oregon Prisoners' Aid Society extends aid. From May, 1906, to October 30, 1909, 53 prisoners were paroled, of whom 13 have received final discharge and 26 were still under supervision at the time of the report. Fourteen, or 26 per cent, were delinquent; seven of the latter have been apprehended and returned and of the other seven the whereabouts are unknown.

Pennsylvania. Industrial Reformatory, Huntingdon.—Indeterminate sentence. Paroles granted by the board of managers. Neither an attorney nor a prisoner is permitted to appear before it. No parole agent. Inmates arrange for employment by correspondence. Their parole period lasts seven months. On leaving the institution, paroled or discharged prisoners receive a suit of clothes and a gratuity of $5.00 if going within fifty miles, or $10 if going farther. Discharged prisoners are released at railroad station; there is no further supervision. The following facts are available concerning inmates paroled in the eight years ending December 31, 1907: total paroled 1,713, of whom 1,451 received final discharge, 161 were returned to the institution, 76 were delinquent and at large and 25 had been located in other prisons. The unsatisfactory cases, numbering 262, constitute 15 per cent of the whole number paroled in the eight years mentioned.

Western State Penitentiary, Pittsburgh; Eastern State Penitentiary, Philadelphia.—Both definite and indeterminate sentences, with commutation. The respective boards of inspectors (trustees) grant paroles. The application for parole must be accompanied by the recommendation of the warden and chaplain and a guarantee of employment. No oral or other argument or correspondence by an attorney or other representative is allowed in a prisoner's behalf. Parole officers are employed. New law; no prisoners have so far been paroled.

Discharged prisoners are released at the institution door with from $5.00 to $10 in cash. No system of after-care. Ex-convicts are befriended by the Pennsylvania Prison Society, the Protestant Episcopal City Mission, the Home of Industry and the American Society for Visiting Catholic Prisoners, all in Philadelphia.

RHODE ISLAND. State Prison, Howard.—Definite sentences with commutation. No parole system. Discharged prisoners are released at the prison door with a suit of clothes and $5.00 in cash. Nothing further is done for them. A Prisoners' Aid Society for women only is located at Edgewood.

SOUTH CAROLINA. State Prison, Columbia.—Sentences definite, with commutation. A parole system has been in operation since March, 1909. Paroles are granted by the governor, who permits an attorney to appear before him in a prisoner's behalf, but not the prisoner himself. No parole agent. Prisoners usually find work for themselves. The state gives them nothing when they leave the prison. As a rule the parole period lasts for the balance of the sentence. Discharged prisoners are released at the railroad station, receiving clothing and transportation home. No provision for aiding ex-convicts.

SOUTH DAKOTA. State Prison, Sioux Falls.—Sentences definite, with commutation. Paroles are granted by the state board of charities and the governor. A prisoner is entitled to apply for parole after he has served one-half his sentence. Attorneys are permitted to appear in a prisoner's behalf but not the prisoner himself. A state agent finds work for and visits paroled prisoners. Both paroled and discharged convicts are given $5.00 in cash and $10 in clothes.

TENNESSEE. State Prison, Nashville; Brushy Mountain Branch Prison, Petros.—Definite sentences, with commutation. No parole system. Discharged prisoners are given clothing, a small cash allowance and transportation to the place of their conviction and are released at the institution door. Nothing is done for them afterwards.

TEXAS.—The penitentiary system of Texas is divided into two prisons, located at Huntsville and Rusk, five state farms and several forces employed by contract on railroads and farms and in mines. Definite sentences, with commutation; released at place of employment; receive suit of clothes, $5.00 and transportation home. Penitentiary board given authority to parole meritorious convicts who have served not less than one-fourth of their time, provided that equals two years. Notice of the filing of a recommendation for parole by the prison officials must be published one or more times in a newspaper in the county from which the prisoner was sentenced. No petition or application for release is considered by the parole board. Attorneys and other persons are not permitted to appear before it. Paroled convicts are entitled to restoration to citizenship by the governor at the end of the term for which sentenced. The Society for the Friendless, located at Dallas, furnishes aid to ex-convicts when needed.

UTAH. State Prison, Salt Lake City.—Only definite sentences with reduction for good conduct. Discharged prisoner released at prison door; receives a suit of clothes and not to exceed $25 in cash. State board of pardons may grant conditional release on parole after the expiration of the minimum time prescribed by law for the offense. Both prisoners and attorneys permitted before the board. Employment must be found by the prisoner or his friends. No supervision by state. Parole period extends to end of sentence. A paroled man receives on release a suit of clothes and $5.00 to $10 in money.

VERMONT. State Prison, Windsor; State House of Correction, Rutland.—Sentences to the former are both definite and indeterminate and to the latter indeterminate. Commutation of sentence granted for good behavior. Each prisoner at the time of his discharge is entitled to a sum of money equal to $1.00 for every month of perfect record, said sum not to exceed $100. Released at the institution door. No provision for subsequent oversight. No prisoners' aid societies in the state.

That part of the indeterminate sentence law of 1898 which established a parole system has since been declared unconstitutional, but the intent of the law has been carried out by the governor. In considering paroles he receives attorneys and sometimes prisoners themselves. All paroled prisoners are held on parole to the end of their maximum term under the supervision of probation officers, of whom there is one in each county in the state. They are given no official help in obtaining employment and are not visited. In the ten years ending October 1, 1908, 320 men were paroled from the house of correction at Rutland, but no statistics of their subsequent history are available, except that in that time only 13 were returned to the institution for violation of their parole.

VIRGINIA. Penitentiary, Richmond.—Sentences definite, with commutation. When a prisoner becomes eligible for parole, he is furnished means to communicate with his family or friends, with a view of securing employment. Paroles are granted by the board of directors. Neither the prisoner nor an attorney is permitted to appear before the board. No parole agent. On leaving the institution the prisoner receives a suit of clothes and from $2.00 to $10 in cash and is held under supervision for the remainder of the term of his sentence. The same allowance of clothing and cash is made to discharged prisoners. They are released at the railway station and nothing further is done for them. The Ex-prisoners' Aid Association, located at Richmond, extends aid when needed.

WASHINGTON. Penitentiary, Walla Walla.—Sentences indeterminate. The penitentiary board issues paroles. No parole is granted to any prisoner who has served a previous term in any prison or who is serving sentence in this for treason or murder. The parole board permits attorneys to appear in a prisoner's behalf, also the prisoner himself. Two parole agents are employed. Paroled prisoners are furnished necessary clothing when they leave the institution and work is found for them. They are held under supervision not less than six months. Prisoners received prior to the enactment of the indeterminate sentence law are entitled to commutation. Discharged prisoners are equipped with necessary clothing, $5.00 in cash and transportation as far as the point from which they were sentenced and are released at the prison door. The state maintains no further oversight of them. The Pacific Coast Redemption Society, Seattle, extends aid. In the fourteen months ending September 30, 1908, 115 prisoners were paroled; 37 of these were released by commutation of sentence; the time of 48 expired, 1 died, 2 escaped and one who violated his parole was returned to the institution. The remaining 26 were still on parole at the close of the period. These 115 men while on parole earned $40,845.98, an average per month per man of $49.60.

State Reformatory, Monroe.—Indeterminate sentences. A prisoner who has at least 360 days' clear record in the institution and the guarantee of honorable employment is eligible to parole by the board of managers and the superintendent. For employment he must depend upon himself, his friends or friends of the institution. No attorney is permitted to appear before the parole board, but the prisoner is. He is allowed transportation to the place of employment, clothing and $5.00 in money and is held under supervision not less than one year. The institution has been in existence but a short time and very few of its inmates have been paroled. It is the plan to employ parole agents when the conditions warrant it. Only four men had been paroled up to November 4, 1909.

West Virginia. State Penitentiary, Moundsville.—Both definite and indeterminate sentences, with commutation. The governor may parole any convict imprisoned under any other than a life sentence who has served the minimum term provided by law for the crime for which he was convicted, provided he has not previously served two terms of imprisonment in any penal institution for felony. Each applicant for a parole must cause notice of his intention to be published at least twice in some newspaper in the county in which he was convicted. The employment of attorneys by convicts is discouraged, but letters from friends giving information may be filed for consideration. No parole agents are employed. Work is found by the prisoners themselves or by their friends. Sometimes prison officials assist. Employment must be guaranteed before they leave the institution. The parole period is sixteen months. A paroled prisoner receives nothing from the state. Discharged prisoners are given a ticket to their home, a complete outfit of clothes and a little money if they have none. There is no prisoners' aid society in this state.

Wisconsin. State Prison, Waupun.—Definite sentences with commutation. First offenders who have served one-half their maximum term, not reckoning the allowance for good behavior, are eligible to parole. A law recently enacted provides for the parole of those previously convicted and of life prisoners who have served 16 years 3 months. Paroles are granted by the state board of control. The board permits a parole applicant to appear before it, but no attorney. Prisoners or their friends must arrange for employment and the surroundings must be approved by the state parole officer before the convict is released. Each paroled convict is given clothing, transportation and his earnings. He is held under supervision for the balance of his term. Discharged prisoners are released at the institution door with the same allowance of money, clothing, etc., as is made to paroled prisoners. No help is extended them thereafter either by the state or any private organization.

State Reformatory, Green Bay.—Operates under an indeterminate sentence law which is so worded that in effect it provides for a definite sentence for the maximum period prescribed by statute for the offense committed.* Commutation of sentence is granted. Paroles are granted by the state board of control, generally not before one year has been served. The rules require that a parole guardian and a place of employment be guaranteed. No attorney is permitted to appear before the parole board but the prisoner himself is heard. A state parole agent finds employment for paroled prisoners before their release and visits them every two or three months afterwards. Each paroled man is given a portion of the money coming to him from wages allowed him in confinement. He is held on parole until the expiration of his sentence unless sooner released by the governor. Discharged prisoners are released, sometimes at the institution door, sometimes at the railway station. All that they have saved from the wages earned in the institution is paid them and nothing more is done for them either by the state or any private organization. The institution opened with 28 inmates on August 1, 1898. Up to July 1, 1909, 369 inmates had been paroled; 13 of this number had received final discharge; 17 died; the maximum sentence of 243 expired and 36 remained under supervision at the time of the report. Sixty, or 16 per cent, proved delinquent; 27 of the latter had been returned to the institution and of 33 the whereabouts are unknown.

WYOMING. State Penitentiary, Rawlins.—Both definite and indeterminate sentences. The "good time" law authorizes a reduction of the former for good behavior and prisoners serving under the latter may be paroled. Both paroled and discharged prisoners receive a suit of clothes and $5.00 each on leaving the institution.

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* Report State Board of Control, 1904, p. 412.

No provision for after-care. The indeterminate sentence law was enacted by the legislature of 1909. The rules adopted by the state board of pardons, to which body applications for parole are made, provide that no parole will be granted to any prisoner who has been returned from parole as a delinquent, who has served a previous term in any penitentiary, who has not served his minimum sentence, or who has violated any of the rules of the penitentiary within six months prior to his application. The board must also have satisfactory evidence that arrangements have been made for honorable and useful employment.

In conclusion the following observations may be made:

There are two forms of sentence: (1) indeterminate; (2) definite. Prisoners are as a rule (1) paroled—released conditionally under supervision, or (2) unconditionally discharged. Paroles of prisoners under definite sentences are granted as a matter of clemency by the executive or board of pardons, or special legislative authority to grant such paroles may be given the parole board of the institution. This was the case in Indiana when the provisions of the indeterminate sentence law were applied to prisoners who before had been sentenced for definite terms.

The fruit of the prison is in the men and women it turns out. Is the fruit good or bad? How many can be returned to self-supporting, law-abiding life?

A prison or reformatory may be clean, well organized, well administered, and show well, yet it may do little in preparing its inmates to keep out of prison hereafter. That is the fruit of such an institution. Fruit is what we want.

Why should we help the discharged prisoner? Not because he is a criminal and has been a prisoner, but because he is a man and needs help. That is the unselfish reason. Proper after-care of the discharged prisoner is right for the protection of society. That is the selfish reason.

In some of our states where the statistics have been kept, they show that from 75 to 80 per cent had no trade when convicted. How is it when they are released? If in the prison they are taught industry, self-control, sobriety and to save something of their earnings, there is some hope for our efforts.

While the men and women who are discharged from our prisons should be aided, what is done for them should be to help them to help themselves. As a rule they should be helped by giving them work.

Employment and personal friendship are the things most needed. Valuable hints may be had from charity organization society methods. Their motto, "Not alms, but a friend," is one fitting for this work.

Why is it that more has not been attempted to aid prisoners? Because the public lacks information and the people are indifferent. We must educate the public. It needs to know the facts. Mrs. Booth is doing a great work in this special field. Prison Sunday should be utilized all over our land to bring the facts to the public. The greatest work that can be done for the discharged prisoner is the education of the people.

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